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ACTS

PASSED BY THE

LEGISLATURE

OF THE

STATE OF VERMONT,

AT THEIR

OCTOBER SESSION,

1823.

PUBLISHED BY AUTHORITY.

BENNINGTON:
PRINTED BY CLARK AND DOOLITTLE.

57

870
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ACTS

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STATE OF VERMONT,

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CLARK & DOOLITTLE, Printers—Bennington.

LAWS OF VERMONT,

PASSED

OCTOBER SESSION,

A. D. 1823.

PUBLICK ACTS.

CHAPTER 1. AN ACT, in addition to "an act to authorize the Supreme Court to empower guardians to sell the real estate of their wards," passed the 6th day of February, 1804. Passed Oct. 21, 1823.

It is hereby enacted by the General Assembly of the State of Vermont, That the Supreme Court of this state be, and hereby is, authorized to empower the guardian of any minor, idiot, lunatic, or distracted person, notwithstanding said guardian or ward may reside without this state, to sell and convey the real estate of his ward, whenever the sale thereof shall be necessary to support, or be conducive to the interest of such, his ward, under the same provisions and restrictions as are prescribed in the act, to which this is an addition. Sup. court may authorize sale of real estate, where guardian or ward reside out of the state.

[*Passed Oct.* 21, 1823.]

CHAPTER 2. AN ACT, annexing a part of the town of Plymouth, in the county of Windsor, to the town of Shrewsbury in the county of Rutland. Passed Oct. 21, 1823.

It is hereby enacted by the General Assembly of the State of Vermont, That one mile square off of the town of Plymouth, in the county of Windsor, lying in the south-west corner of said town of Plymouth, be, and hereby is annexed to the town of Shrewsbury, in the county of Rut- Part of Plymouth annexed to Shrewsbury.

A. D. 1823. land; and the inhabitants, who do, or shall hereafter inhabit said lands aforesaid, shall have, enjoy and exercise all the rights, privileges and immunities, and be subject to the same disabilities and penalties, which the other inhabitants of the town of Shrewsbury can or ought, by the constitution and laws of this state, to have, exercise, enjoy, or be subject to.

[*Passed Oct.* 21, 1823.]

Passed Nov. 3, 1823.

CHAPTER 3. AN ACT, in amendment to an act, entitled, an act annexing a part of Waitsfield to the town of Northfield.

Part of Waitsfield annexed to Northfield.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That four tier of lots off of the easterly end of said Waitsfield, including one tier of small lots, and all the small lots on the southerly line of said town, lying east of lot number one hundred and fifty, be and the same are, hereby annexed to the town of Northfield; and the inhabitants, who do, or shall hereafter inhabit said lands, shall have, enjoy and exercise all the rights, privileges, immunities, and be subject to the same disabilities and penalties, which the other inhabitants of the town of Northfield can or ought, by the laws and constitution of this state, to have, exercise, enjoy, or be subject to.

Part of former act repealed.

SEC. 2. *And it is hereby further enacted*, That so much of an act, entitled an act annexing part of the town of Waitsfield to the town of Northfield, passed November 7, A. D. 1822, as comes within the purview of this act be, and the same is, hereby repealed.

[*Passed Nov.* 3, 1823.]

Passed Oct. 21, 1823.

CHAPTER 4. AN ACT, in addition to an act entitled "an act to preserve the fish in the several waters in the County of Rutland," passed Nov. 8, 1822.

Former act limited in favor of taking fish in the town of Wells.

It is hereby enacted by the General Assembly of the State of Vermont, That from and after the first day of March next, the said act shall not be construed to deprive any person or persons of the right of catching any fish, other than trout, pike or pickerel, in any of the waters in the town of Wells, in said county, with scoop nets

or seines, any thing in said act to the contrary, notwithstanding. A. D. 1823.

[*Passed Oct.* 21, 1823.]

CHAPTER 5. AN ACT, to preserve the fish in the waters in the town of Morristown. Passed Oct. 23, 1823.

It is hereby enacted by the General Assembly of the State of Vermont, That if any person, after the first day of May next, shall take or catch any fish in any of the streams, ponds or waters in the town of Morristown, in the county of Orleans, with any scoop-nets, drag-nets, or any other net or seine, or shall put any such net or seine, or any other net, in any of the waters aforesaid, with intent to take or catch any fish, shall forfeit and pay a fine, not exceeding the sum of ten dollars, nor less than two dollars, to the treasurer of the town aforesaid, with full costs of prosecution, to be recovered in an action of debt, in the name of the treasurer of the town of Morristown, before any justice of the peace, having jurisdiction of the same. Taking fish in the waters of Morristown with nets, prohibited. Penalty.

[*Passed Oct.* 23, 1823.]

CHAPTER 6. AN ACT, to preserve the fish in certain waters therein mentioned. Passed Oct. 24, 1823.

It is hereby enacted by the General Assembly of the State of Vermont, That if any person, after the first day of March next, shall take or catch any fish in the stream commonly called Green river, in the town of Sandgate, and the stream running into the same, with any scoop-net, drag-net, or any other net or seine, or shall put any such net or seine, or any other net into any of the waters aforesaid, with intent to take or catch any fish, he shall pay a fine, not exceeding four dollars, nor less than one dollar, to the treasurer of said town, with full costs of prosecution; to be recovered in an action of debt, in the name of the treasurer of said town, or any other person, who may sue for the same, before any justice of the peace, having jurisdiction of the same. Taking fish in waters in Sandgate prohibited. Penalty.

[*Passed Oct.* 24, 1823.]

Passed Oct. 31, 1823.

CHAPTER 7. AN ACT, to preserve the fish in Otter Creek.

Taking pickerel except with hook, &c. in certain waters in Rutland & Addison county prohibited.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That if any person, after the first day of December next, shall take, kill or destroy any pickerel in Otter creek, or any river or brook, connected with said creek, and above the bridge in the city of Vergennes, or in any of the ponds in the counties of Rutland and Addison, in any other manner than with a hook and line, such person shall forfeit and pay to the treasurer of the town, in which the offence may be committed, a sum, not exceeding ten dollars, nor less than two dollars.

Penalty.

Taking pickerel in certain waters prohibited until after June 10, 1827

SEC. 2. *It is hereby further enacted*, That if any person shall, after the passing of this act, take, kill or destroy any pickerel in Otter creek, or any river or brook connected with said creek above Sutherland's falls, until after the tenth day of June, in the year of our Lord, one thousand eight hundred and twenty seven, such person shall forfeit and pay to the treasurer of the town, in which such offence may be committed, a sum not exceeding ten dollars, nor less than two dollars.

Penalty to treasurer of town.

Penalties to be recovered in action of debt.

SEC. 3. *It is hereby further enacted*, That any sum forfeited, by virtue of this act, may be sued for and recovered, in the name of the treasurer of any town, in which the offence may be committed, by action of debt, before any justice of the peace, having jurisdiction of the same.

Limitation of prosecution.

Provided, That no suit shall be sustained, unless it be commenced within thirty days after the commission of the offence.

[*Passed Oct.* 31, 1823.]

Passed Nov. 6, 1823.

CHAPTER 8. AN ACT, repealing an act therein mentioned.

Act to preserve fish in Washington co. repealed.

It is hereby enacted by the General Assembly of the State of Vermont, That an act, entitled "an act, to preserve the fish in the several waters in the county of Washington," passed November 15, 1821, be, and the same is, hereby, repealed.

Saving clause.

Provided, That all suits already commenced and now pending for any penalties, accruing under the aforesaid act,

shall and may be prosecuted to final judgment, the same as though the said act had not been repealed. A. D. 1823.

[*Passed Nov.* 6, 1823.]

CHAPTER 9. AN ACT, to repeal a part of an act therein mentioned. Passed Oct. 21, 1823.

It is hereby enacted by the General Assembly of the State of Vermont, That the proviso to the eighth article of the first section of an act, passed November 4, A. D. 1817, entitled "an act, in addition to, and amendment of, an act, defining what shall be deemed and adjudged a legal settlement, and for the support of the poor, for designating the duties and powers of the overseers of the poor, and for the punishment of idle and disorderly persons," be and the same hereby is repealed. Proviso of 8th article of 1st section of settlement law of 1817 repealed.

Provided, That no residence, heretofore had under the eighth article aforesaid, without any registry, as in said proviso mentioned, shall be deemed to have any effect, towards giving or gaining any future settlement of any person. Proviso.

[*Passed Oct.* 21, 1823.]

CHAPTER 10. AN ACT, more effectually to prevent horse-racing. Passed Oct. 27, 1823.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That all racing, running, pacing or trotting of horses, mares or geldings, for any bet or stakes, in money, goods or chattels, or for any purse or premium, or other valuable thing, shall be and hereby are declared to be common and public nuisances and offences against this state: and the authors, bettors, stakers, stake-holders, purse or premium-holders, parties, contrivers and abettors thereof, may be proceeded against by information or indictment, and on conviction, before the supreme court, shall be fined, not exceeding five hundred dollars, in the discretion of the court. Racing, &c. of horses, public nuisances & offences, Persons concerned, on conviction to be fined.

SEC. 2. *And it is hereby further enacted*, That from and after the first day of January next, the owner or owners, keeper or keepers of any horse, mare or gelding, that shall be used, employed or improved in horse-racing within this state, by his, her, or their privity or permission, whereon any stakes are held, or any bet or wager Owner or keeper of horse, kept for or employed in racing, to forfeit for every race the value of horse.

A. D. 1823. laid, or any premium, purse, goods or chattels or any other valuable thing shall be dependent, either directly or indirectly, the owner or owners being privy thereto, shall forfeit for every race, so run, the value of every such horse, mare or gelding, employed, as aforesaid; and that any person or persons, concerned in laying any bet or wager, and the holder, winner or receiver of such purse or premium, on such race or races, shall forfeit the amount of the bet or bets, wagers, premium or purse so laid, made, staked, held, won or received.

Persons betting to forfeit amount of wager.

Contribution for purse or premium prohibited.

Penalty.

SEC. 3. *And it is hereby further enacted*, That if any person or persons shall contribute or collect, or solicit any other person to contribute or collect any money, goods or chattels, to make up any purse or premium, to be run, trotted or paced for, by any horse, mare or gelding, at any place in this state, such person or persons, so offending, shall forfeit to the treasury of this state the sum of twenty dollars.

Grand jurors to prosecute breaches of 1st section.

SEC. 4. *And it is hereby further enacted*, That it shall be the duty of the grand jurors of the several towns in this state, to make presentment of all offences against the first section of this act, in order that the offenders may be bound over for their appearance before the supreme court.

State's attornies to prosecute offences under this act.

Judges of Sup. Ct. to give this act in charge to grand jury.

SEC. 5. *And it is hereby further enacted*, That it shall be the duty of the several state's attornies, within this state to prosecute, to final judgment, all offences or penalties, incurred by this act: and it shall be the duty of the judges of the supreme court, specially, to give this act in charge to the grand jury, at each term of said court.

SEC. 6. *And it is hereby further enacted*, That the secretary of state shall cause this act to be published in all the newspapers printed in this state.

[*Passed Oct. 27, 1823.*]

Passed Oct. 28, 1823.

CHAPTER 11. AN ACT, relating to costs in cases on petition for new trials.

Person preferring second petition to legislature for new trial liable for treble costs in case of failure.

It is hereby enacted by the General Assembly of the State of Vermont, That any person who shall have petitioned the legislature for a new trial, and shall have failed to obtain the same, shall again prefer his petition in the same case, and shall again fail, the petitionee shall have a right to recover of the petitioner, treble cost, to be taxed

and recovered according to the fourth section of the act to which this is in addition. A. D. 1823.

[*Passed Oct.* 28, 1823.]

CHAPTER 12. AN ACT, to provide for reporting the decisions of the supreme court of judicature. Passed Oct. 28, 1823.

It is hereby enacted by the General Assembly of the State of Vermont, That his excellency the Governor, by and with the advice of the council, shall, as soon as may be, after the passing of this act, appoint some suitable person, learned in the law, to be a reporter of the decisions of the supreme court of judicature,—who shall be sworn to the faithful discharge of his duty, and shall be removable at the pleasure of the executive,—whose duty it shall be, by his personal attendance, and by any other means in his power, to obtain true and authentic reports of such of the decisions, already made, or that hereafter may be made, by said court, as he shall think of sufficient importance, and shall, annually, publish the same. Reporter to be appointed. How removed. His duty.

SEC. 2. *And it is hereby further enacted*, That the reporter, shall receive out of the treasury of this state, four hundred dollars annually, which, together with the profits arising from the publication of his said reports, shall be full compensation for his services aforesaid. Compensation.

[*Passed Oct.* 28, 1823.]

CHAPTER 13. AN ACT, in addition to an act entitled "an act to provide for reporting the decisions of the supreme court of judicature." Passed Nov. 6, 1823.

It is hereby enacted by the General Assembly of the State of Vermont, That whenever any vacancy shall occur in the office of reporter, in the recess of the Governor and council, the Governor shall have power to appoint a reporter, who shall hold his office until the next annual session of the Governor and council, any thing in the said act to the contrary notwithstanding. Vacancy in office of reporter to be filled by Governor's appointment

[*Passed Nov.* 6, 1823.]

Passed Oct. 27, 1823.

CHAPTER 14. AN ACT, appropriating the rents and profits of certain public lands in the town of Jamaica.

Rents of grammar school lands in Jamaica, appropriated to common schools.

It is hereby enacted by the General Assembly of the State of Vermont, That all the rents, and profits arising from a right of land, lying in the town of Jamaica, in the county of Windham, originally granted for the use of grammar schools, shall be appropriated to the use of common schools, in said town; and the selectmen of said town and their successors in office are hereby empowered to lease said lands, and appropriate the rents and avails thereof to and for the use and benefit of common schools in said town, in the same manner as provided by law, for leasing and disposing of the rents and avails of lands originally granted for the use of common schools.

Selectmen to lease said lands.

[*Passed Oct.* 27, 1823.]

Passed Oct. 30, 1823.

CHAPTER 15. AN ACT, in addition to an act, entitled "an act, relating to jails and jailers, and for the relief of persons imprisoned therein."

Persons imprisoned on ex. for debt, detinue, replevin, &c. admitted to privileges of acts, to which this is in addition, unless the cause of action accrued from wilful and malicious act or neglect of defendant.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That every person, who shall be imprisoned, by virtue of any execution, issuing from any court within this state, on a judgment, recovered in any action of debt, detinue, replevin, ejectment, trespass, or trespass on the case, shall be entitled to all the benefits and privileges of the act, to which this is in addition, and of the several acts in addition to, or amendment thereof; unless the court, rendering such judgment, shall, at the time or term of rendering the same, adjudge that the cause of action accrued from the wilful, and malicious act, or neglect of such person, and a minute thereof be inserted in, or endorsed and certified upon such execution, in which case, such person shall not be admitted to the liberties of the jail yard, or to take the oaths in said acts prescribed for poor debtors.

Court to certify.

Person committed on jail bond, not admitted to liberties, except on bond taken on mesne process.

Provided also, and it is hereby further enacted, That no person, who is, or shall be, committed to jail on any execution, issued on a judgment, recovered in an action on jail-bond, shall be admitted to the liberties of the jail-yard, except on jail-bonds taken on mesne process.

A. D. 1823.

SEC. 2. *And it is hereby further enacted,* That every person, who now is, or may hereafter be, imprisoned, by virtue of any execution, issued, or hereafter to be issued, from any court in this state, on a judgment heretofore recovered in any of the actions mentioned in the preceding section, shall be entitled to all the benefits and privileges of the said acts, unless it shall be made to appear to the commissioners of jail delivery, that the cause of action, on which such judgment was rendered, accrued from the wilful and malicious act, or neglect of such person.

Prisoners entitled to benefit of act, unless cause of action for which they are imprisoned accrued from wiiful or malicious act or neglect.

SEC. 3. *And it is hereby further enacted,* That any person, who now is, or hereafter may be, imprisoned, on any execution, who shall have paid any debt or debts, after his commitment, not with intent to defraud the committing creditor, nor to give a preference to any of his creditors, nor to conceal property from them, the commissioners, in their discretion, may admit such debtor, to the privileges and benefit of the before mentioned statutes, notwithstanding such payments, any law to the contrary notwithstanding.

Prisoner having paid debt, not with intent to defraud committing creditor, admitted to oath.

Provided also, and it is hereby further enacted, That such person shall, before taking the oath, by law provided in such cases, exhibit to the commissioners a written list of such debts; and in administering said oath, the commissioners shall add, after the words, *"for the support of yourself and family,"* the words, *and for the payment of the debts, contained in the list, by you exhibited to the commissioners.*

Schedule of debts paid to be exhibited to com'rs.

Form of oath.

SEC. 4. *And it is hereby further enacted,* That whenever any debtor, confined in jail as aforesaid, being under any legal disability, which, by law, would render him incompetent as a witness in a court of justice, if said commissioners be of opinion, by testimony, other than that of such debtor, that such debtor be a fit subject of this, and the act, to which this is an addition, said commissioners, in their discretion, may admit such debtor to all the provisions thereof, notwithstanding such disability.

Prisoner under legal disability may in certain cases avail himself of benefit of act.

SEC. 5. *It is hereby further enacted,* That all and every judgment, obtained against any such prisoner, shall, notwithstanding such discharge, be and remain good and effectual in law, to all intents and purposes, against any estate whatever, which may then, or at any time afterwards, belong unto any such prisoner; and a new execution may issue, at any time, against the goods, chattels, or lands, of

Judgment to remain effectual against goods and chattels of debtor.

New ex. may issue.

A. D. 1823. such prisoner, in the same way and manner as might have been done, if the prisoner had never been in execution: and the said debtor's estate shall also be liable to pay prison charges, during all the time of his or her imprisonment.

Debtor liable for prison charges.

[*Passed Oct.* 30, 1823.]

Passed Nov. 6, 1823.

CHAPTER 16. AN ACT, in addition to "an act providing for the relief and support of poor persons, who may hereafter be confined in jail, and having no legal settlement in this state," passed November 16, 1821.

Person in jail on criminal prosecution by whom supported.

It is hereby enacted by the General Assembly of the State of Vermont, That, whenever any person shall be confined in any jail in this state, by virtue of any criminal prosecution, the expenses of relieving and supporting such prisoner, shall be paid out of the treasury, into which the fine would, by law, be paid, if collected.

[*Passed Nov.* 6, 1823.]

Passed Oct. 31, 1823.

CHAPTER 17. AN ACT, in addition to, and amendment of an act, entitled "an act, regulating and governing the militia of this state," passed November 10, 1818.

Brig. Generals may authorize com. officer of cav. art. it. inf. or riflemen to fill up company from standing companies.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That, the several brigadier generals, within their respective brigades, on application of any captain or commanding officer of any company of cavalry, artillery, light-infantry or riflemen, and recommendation in writing, signed by the field officers, or a majority of them, of the regiment, to which said corps belongs, are hereby authorized, to direct said captain or commanding officer, from time to time, to fill up his company by enlistments from any of the standing companies, in said regiment.

Proviso.

Provided, said corps shall not, by such enlistment, exceed the number of fifty effective privates, and also, that no such enlistments shall take place, out of any standing company, so as to reduce said company to a less number than fifty effective privates, nor is contained in said first mentioned corps.

Commanding officer of cav. &c. to notify commanding officer of standing companies.

Provided also, That said captain or commanding officer of said company shall notify the commanding officer of the standing company, or companies, of the intention to make

such application, and of the time and place, when and where, the same will be made; which notice shall be, by said field officers, certified to said brigadier general. A. D. 1823.

Regulations in enlistments.

SEC. 2. *And it is hereby further enacted*, That in all enlistments, so made as aforesaid, the same rules and regulations shall be observed, and the same liabilities attach, as are now pointed out by the act to which this is an addition.

Appropriation of $150 for blank forms furnished by adj. & insp. gen.

SEC. 3. *It is hereby further enacted*, That there be, and hereby is appropriated a sum not exceeding one hundred and fifty dollars, for the purpose of defraying the expense of procuring the blank forms of the different returns for companies, regiments, and brigades, of the militia of this state, which it is, by law, the duty of the adjutant and inspector general to furnish.

Auditor to allow & treasurer to pay account of adj. and insp. gen. for blank forms.

SEC. 4. *It is hereby further enacted*, That the auditor of accounts against this state, be, and he hereby is, authorized and directed to audit the account of the said adjutant and inspector general, for the blanks aforesaid, and thereupon, the treasurer is directed to pay the same, out of any money in the treasury, not otherwise appropriated.

Brig. inspectors to make return by 20th Oct.

SEC. 5. *It is hereby further enacted*, That, it shall be the duty of the brigade inspectors, of the several brigades, on being furnished with the necessary blanks, to make the returns to the adjutant and inspector general, which is their duty by law to make, on or before the twentieth day of October annually.

Adjutant to take rank as captain.

SEC. 6. *It is hereby further enacted*, That all adjutants of regiments, in commission, from and after the passing of this act, and all others hereafter appointed, shall take rank as captains in the line, any thing in the fifth section of the act, to which this is an addition to the contrary notwithstanding.

Staff not to vote at election of field officers.

SEC. 7. *It is hereby further enacted*, That no staff-officer of the militia, within this state, shall hereafter vote, at any election of any field officer, hereafter to be chosen, within the same, any law, usage, or custom to the contrary notwithstanding.

[*Passed Oct.* 31, 1823.]

A. D. 1823.

Passed Oct. 31, 1823.

CHAPTER 18. AN ACT, to regulate the inspection of provisions intended to be exported from this state.

Inspector gen. of beef and pork to be appointed by Gov. and by him removable.

Ins. gen. to give bonds & be sworn.

Shall have power to appoint and remove deputies, of whom he shall take bonds.

Deputies shall be sworn.

Deputy to make return to inspec. gen. once in 6 mo.

Inspector gen. to make annual returns to gov. and council.

Description of barrels in which beef or pork shall be packed.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That there shall be an inspector general of beef and pork, for this state, who shall be well skilled in the knowledge of the same, to be appointed by the Governor, and to be by him removable at pleasure, who before he shall enter on the duties of his said office, shall give bonds, with sufficient surety, to the treasurer of this state, in the penal sum of one thousand dollars for the faithful discharge of his duty; and shall, also, be sworn faithfully to perform the same; and such inspector general shall have power, when so qualified, to appoint, and shall appoint at least one deputy inspector, in each county, who shall be removable by him at pleasure, and for whom he shall be answerable, and shall take bonds from them to himself and successor in said office, with sufficient sureties, in a penal sum, not exceeding two hundred dollars; and the said deputy inspectors shall also be sworn to a faithful discharge of their duty.

SEC. 2. *It is hereby further enacted*, That it shall be the duty of every deputy inspector to make return to the inspector general, once in every six months, of the number of barrels and half barrels of beef and pork, inspected by them, agreeably to the directiens of this act; and it shall be the duty of the inspector general, in the month of October, annually to make a return to the Governor and Council, of the whole number of barrels and half barrels of beef and pork inspected, according to the directions of this act, by him or his deputies, the year preceding, designating the different sorts of beef or pork, and the places where they were inspected.

SEC. 3. *It is hereby further enacted*, That all barrels, in which any beef or pork shall be packed or repacked, by virtue of this act, shall be made of good seasoned white oak or white ash staves and heading, free from every defect; and each barrel shall contain two hundred pounds weight of beef or pork; the barrels to measure seventeen inches and a half between the chines, and to be twenty-eight inches long, to be covered three-fourths of the length with good hickory, white oak, white ash, or other substantial hoops, leaving one fourth in the centre; the

staves and heads to be made of good thick stuff, the heads not less than three-quarters of an inch thick, and each and every stave on each edge, at the bilge, shall not be less than half an inch thick, and at each chine not less than half an inch thick when finished; the hoops to be well set and drove, and the barrels to be branded on the bilge, with the first letter of the christian name, and the surname, at length, of the cooper; the half barrels to contain not less than fifteen, nor more than sixteen gallons, and made in proportion to, and of like materials as, a whole barrel, and to contain one half the quantity of beef and pork of the whole barrel. A. D. 1823. Branded with cooper's name.

SEC. 4. *It is hereby further enacted*, That all beef, packed or repacked by the inspector general or by any deputy inspector, in barrels or half barrels, shall be of fat cattle, not under three years old; and all such beef shall be cut into pieces, as nearly square as may be, and which shall not exceed ten, nor be under four pouuds weight: All beef thus found on examination (bulls excepted) to be fat, and otherwise good and merchantable, shall be sorted and divided into three different sorts, for packing and repacking, in barrels and half barrels, to be denominated mess, prime and cargo beef: Mess beef shall consist of the choicest pieces of oxen or steers, three years old or more, well fatted and weighing six hundred pounds or more, without hocks, shanks, clod or necks, and may or may not contain two choice rounds out of the same cattle, not exceeding ten pounds weight, each; and on one of the heads of each barrel, containing two hundred pounds weight of beef of this description, shall be branded the words, *Mess Beef:* That prime beef shall consist of choice pieces of fatted oxen, steers, cows, or heifers, three years old or more, not under four hundred and fifty pounds weight, of which there shall not be more than one half neck, nor more than two shanks,—(with the hocks cut off of the hind legs at the smallest place above the joint)—in a barrel, and on one of the heads of all barrels and half barrels, containing beef of this description, shall be branded the words, *Prime Beef:* That cargo beef shall be of fat cattle, as aforesaid, with a proportion of good pieces, and not more than one half of a neck, three shanks, with the hocks cut off, in the same manner as in prime, in a barrel, and to be otherwise merchantable; and one head of each barrel or half barrel containing beef of this quality shall be branded with the Beef packed to be of fat cattle not under three years old. Description of pieces. Denomination of beef. Mess Beef. Weight. Brand. Prime Beef. Brand. Cargo Beef. Brand.

A. D. 1823. words, *Cargo Beef:* And every barrel of beef shall be well salted with seventy-five pounds of clean Saint Ubes, Isle of May, Lisbon, Turk's Island or other salt, in such quantity as shall be equivalent to the said quantity of the description above mentioned, exclusive of a pickle made of fresh water, as strong as salt will make it; and to each barrel of beef shall be added six ounces of saltpetre; and each half barrel of beef shall be salted with one half of the quantity of salt before mentioned, and three ounces of salt petre.

Mode of salting & preserving beef.

Denomination of pork.

Mess.

One Hog.

Prime pork.

Brand.

Cargo pork.

Mode of salting & preserving.

Brand.

SEC. 5. *It is hereby further enacted*, That there shall be four qualities of pork, known and distinguished by the names of mess, one hog, prime and cargo pork: *Mess pork* to consist of the sides of good fat hogs only; *one hog*, to be one hog and no more in a barrel; *prime pork* to consist of not more than three shoulders, the legs being cut off, at the knee joint, and shall not contain more than twenty-four pounds of head, which shall have the ears and snouts cut off, the snouts cut off to the opening of the jaws and the brains and bloody grizzle taken out of the heads, and the rest of the pork, to constitute a barrel of prime, shall be made up of side pieces, neck and tail pieces; and on one head of every barrel of such pork shall be branded, *Prime Pork:* Cargo pork to consist of not more than thirty pounds of head and four shoulders, and shall be, otherwise, merchantable pork; and each barrel and half barrel of pork shall be salted and pickled, with the same weight of salt and the same kind of pickle, as is in this act provided for packing and salting beef; and each barrel and half barrel of pork, when so inspected and packed, or repacked, shall be branded in the same manner as is in this act provided for branding beef, designating the different qualities or denominations herein described.

Directions for branding barrels of beef and pork.

SEC. 6. *It is hereby further enacted*, That on one head of every barrel or half barrel, in which beef or pork is packed or repacked, by virtue of this act, shall be branded with the weight it contains, with the first letter of the christian name, and the surname, at length, of the inspector, who shall have inspected the same, with the name of the town where it shall have been inspected, in legible characters, and the year, in figures, when the same shall have been inspected, with the addition of "Vermont;" and every barrel and half barrel shall, also, be branded with the name of the person for whom the same was packed.

A. D. 1823.

SEC. 7. *It is hereby further enacted,* That if any such inspector or deputy inspector shall brand any cask, containing beef or pork, which have not been inspected by him, or shall falsely or deceitfully brand the same, in the manner herein before provided; every such inspector, or deputy inspector, so branding or falsely or deceitfully branding, shall, for every barrel or half barrel, so branded, or falsely branded, by him, forfeit and pay ten dollars, one half to him, who shall sue for the same to effect, and the other half to the town, where the offence shall be committed.

Penalty on inspectors for branding without inspection and for falsely branding.

SEC. 8. *It is hereby further enacted,* That if any person shall intermix, take out or shift any beef out of any cask, inspected or branded, as by this act is required, or put in any other beef for sale or exportation, contrary to the intention of this act, or if any person, not an inspector or deputy inspector, after the inspection, packing and branding, shall alter or deface any brand, the person or persons, so offending, shall forfeit and pay the sum of twenty dollars, for each barrel or half barrel, so falsely branded, or altered, or defaced, or of which the contents or any part thereof have been shifted or changed; one half to him who shall sue for the same to effect and the other half to the treasury of this state.

Penalty for taking out and shifting beef after inspection.

Penalty for altering or defacing brand.

SEC. 9. *It is hereby further enacted,* That the inspector general or his deputy shall be paid, for every barrel of beef or pork he may inspect and brand, the sum of fifteen cents; and for every half barrel of beef or pork, so inspected and branded, the sum of nine cents, exclusive of cooperage; the charge of inspection and branding to be paid by the owner or owners of such beef or pork; and the inspector general shall be entitled to receive from any deputy he may appoint three cents, and no more, for each barrel of beef or pork, and two cents for each half barrel, said deputy may inspect and brand according to the directions of this act.

Fees of inspectors.

Inspector gen. entitled to part of fees received by his deputies.

SEC. 10. *It is hereby further enacted,* That no owner or dealer in beef and pork shall suffer the same, after inspected, to be exposed to the heat of the sun, or inclemency of the weather, longer than twelve hours, under the penalty of six dollars for every such offence or neglect, one half to the inspector general, the other half to the deputy inspector, who may have inspected the same.

Owner or dealer in beef or pork not to suffer the same to be exposed to sun or weather.

Penalty.

A. D. 1823.

Deputy inspectors not to act out of their counties without licence from inspec. gen.

SEC. 11. *It is hereby further enacted*, That no deputy inspector shall inspect or brand any cask of beef or pork, out of the county for which he shall be appointed, without first obtaining a written licence from the inspector general, under the penalty of ten dollars, for each barrel so inspected or branded.

Inspector prohibited from using steel yards or weights which have not been sealed.

Penalty.

SEC. 12. *It is hereby further enacted*, That if the inspector general, or any deputy inspector shall, in the discharge of his office, use any steelyards or weights, which shall not have been tried and sealed, according to law, he shall, for each offence, forfeit and pay ten dollars, to and for the use of the town to which he shall belong.

No person but inspector to brand casks of beef and pork.

Penalty.

SEC. 13. *It is hereby further enacted*, That if any person, other than the inspector general or his deputy, shall stamp, or brand any cask of beef or pork, in the manner directed by this act, every person, so offending shall forfeit the sum of twenty dollars for each and every cask, to and for the use of the inspector general.

Inspector to give certificate of inspection.

Penalty for refusal

SEC. 14. *It is hereby further enacted*, That every inspector shall give to any person, who shall procure him to inspect or pack any beef or pork, a certificate that the same have been inspected, packed or branded, conformably to this act, and if such inspector shall refuse to give such certificate, or shall give a false certificate, he shall forfeit and pay to such person, five dollars.

Parts of certain acts repealed.

Sec. 15. *It is hereby further enacted*, That the first, second, third, fourth and fifth sections of an act entitled "an act for the inspection of beef, pork, flour and kiln dried meal," passed the tenth day of November, 1797, and so much of the ninth, tenth, eleventh and twelfth sections of the aforesaid act, as comes within the purview of this act, be and the same are hereby repealed.

Saving clause.

Provided, That they shall be considered as in full force, with regard to all actions, matters and things done, during their existence, to which they relate.

Mode of recovery and disposal of several penalties arising under this act.

SEC. 16. *It is hereby further enacted*, That all penalties and forfeitures, arising by virtue of this act, may be recovered by action of debt, on this statute, before any court, competent to hear and determine the same; and (when not herein otherwise appropriated,) one half thereof shall accrue to the informer, who shall sue for the same to effect, and the other half to the town to which the offender

shall belong;—and it is hereby made the duty of all informing officers to prosecute every breach of this act. A. D. 1823.

[*Passed Oct.* 31, 1823.]

CHAPTER 19. AN ACT, in addition to an act, entitled "an act constituting probate courts, and defining their powers, and regulating the settlement of testate and intestate estates, and the guardianship of minors and insane persons." Passed Oct. 31, 1823.

It is hereby enacted by the General Assembly of the State of Vermont, That when any man and his wife shall be seized of any real estate, in her right, in fee simple, and issue shall be born alive, of the body of such wife, that may or might inherit the same, and the wife die; the husband shall have, and hold such estate, during his life, as tenant by the curtesy, any thing in the act, to which this is in addition, to the contrary notwithstanding. Husband tenant by the curtesy in certain case.

[*Passed Oct.* 31, 1823.]

CHAPTER 20. AN ACT, in addition to the several acts, defining the powers of justices of the peace, within this state. Passed Nov. 3, 1823.

It is hereby enacted by the General Assembly of the State of Vermont, That from and after the passing of this act, a justice of the peace shall hear, try and determine, all actions on book account, where the debit side of the plaintiff's book shall not exceed the sum of one hundred dollars; and all actions on note, where it shall appear by the plaintiff's declaration, or the endorsement or endorsements on said note, that the sum due thereon, does not exceed the said sum of one hundred dollars. Justice to try actions on book where debit side does not exceed $100.

And actions on note where the sum due is less than $100.

[*Passed Nov.* 3, 1823.]

CHAPTER 21. AN ACT, making the necessary appropriations for the support of government the present year, and for other purposes. Passed Nov. 3, 1823.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That a sum, not exceeding thirty thousand dollars, be, and the same is hereby appropriated for the purpose of paying the debentures of Sum not exceeding $30,000 appropriated for certain purposes.

A. D. 1823. the Lieutenant Governor, the Council, and the contingent expenses thereof; and for the debentures of the general assembly, and the contingent expenses thereof, including the debenture of the auditor of accounts.

Sum not exceeding $20,000 appropriated for certain purposes.

SEC. 2. *It is hereby further enacted*, That a sum not exceeding twenty thousand dollars, be, and the same hereby is, appropriated, for the purpose of paying such demands against this state, as may be allowed by the auditor of accounts, and such orders as may be drawn by or under the direction of the supreme court.

[*Passed Nov.* 3, 1823.]

Passed Nov. 3, 1823.

CHAPTER 22. AN ACT, assessing a tax for the support of government.

Tax of 1 cent 5 mills assessed on the list of 1823.

It is hereby enacted by the General Assembly of the State of Vermont, That there be, and hereby is, assessed a tax of one cent and five mills, on the dollar, on the list of the polls and ratable estate, of the inhabitants of this state, for the year one thousand eight hundred and twenty three; to be paid into the treasury of this state, by the first day of June next, in money, certificates or notes, issued by the treasurer of this state, orders drawn by the auditor of accounts against this state, or orders drawn by, or under the direction of the supreme court.

[*Passed Nov.* 3, 1823.]

Passed Nov. 3, 1823.

CHAPTER 23. AN ACT, relating to the duty of listers.

County convention of listers to endorse alterations in appraisal of real estate on the list of each town.

It is hereby enacted by the General Assembly of the State of Vermont, That, whenever the listers shall meet, in the several counties, in this state, to average the appraisal of real estate, it shall be the duty of such listers to produce the list containing the appraisal of the real estate in their respective towns; and the listers so met, shall cause a certificate to be endorsed on such list, describing the alterations made therein, which list shall be returned to the listers of their respective towns, who shall deliver the same to their representative, to be by him delivered to the committee, that may be appointed to average the list throughout the state, for their use and inspection, in making such

List as corrected by convention to be delivered to committee to average list thro' the state.

average; and every alteration, made in the list of each county, shall be entered and certified on the list of each town; which list shall be, by the several representatives, returned to the listers of their respective towns; and such listers shall then proceed to finish their lists, by making the additions or deductions, so made by the county and state average, and make out one entire list, on which state, county, town, and other taxes shall be made. A. D. 1823.

Alterations by committee to be certified on the list of each town, and returned to listers of several towns, who shall proceed to finish lists.

[*Passed Nov.* 3, 1823.]

CHAPTER 24. AN ACT, in addition to an act, ascertaining the principles on which the list of this state shall be made, and directing the listers in their office and duty. Passed Nov. 6, 1823.

It is hereby enacted by the General Assembly of the State of Vermont, That the several store houses and wharves within this state, shall be assessed by the listers of the several towns, adjoining said wharves and set in the lists of said towns, the same as if they were within the charter bounds of said towns, at six per cent. on the appraisal of the real value.

Wharves and store houses to be set in the list at 6 per cent on their value

[*Passed Nov.* 6, 1823.]

CHAPTER 25. AN ACT, in addition to an act, entitled "an act ascertaining the principles on which the list of this state shall be made, and directing listers in their duties and office. Passed Nov. 7, 1823.

It is hereby enacted by the General Assembly of the State of Vermont, That all horses and mules, that shall have been wintered one winter, shall be set in the list as one year old; those that shall have been wintered two winters, two years old; and those that shall have been wintered three winters, three years old; and all stallions that shall have been wintered four winters, as four years old; and all horned cattle, as follow, to wit: those that shall have been wintered two winters, shall be set therein as two years old; and those that shall have been wintered three winters, as three years old; and all male horned cattle that shall have been wintered four winters, as oxen; any law, usage or custom to the contrary notwithstanding.

Directions for setting horses in the list.

Directions for setting cattle in the list.

[*Passed Nov.* 7, 1823.]

Passed Nov. 5, 1823.

CHAPTER 26. AN ACT, altering the times of holding the Supreme Court in the counties therein named.

Times of holding sessions of sup. ct. in Orange, Washington, Caledonia, Orleans and Essex counties.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That from and after the passing of this act, the supreme court of judicature, shall be annually holden at Chelsea, within and for the county of Orange, on the last Tuesday save two in August; at Montpelier, within and for the county of Washington, on the last Tuesday of August; at Danville, within and for the county of Caledonia, on the second Tuesday of September; at Irasburgh, within and for the county of Orleans, on the fourth Tuesday of September; and at Guildhall, within and for the county of Essex, on the Tuesday next following the fourth Tuesday of September.

Court to take cognizance of all causes now pending.

SEC. 2. *It is hereby further enacted*, That said court shall have and take cognizance of all complaints, indictments, actions, suits, and every other matter or thing, in law or equity, that are now pending in the supreme court of judicature, in the several counties aforesaid; and all appeals, writs, recognizances, and every other matter or thing, that should be returned or entered, at the supreme court of judicature, at the times and places heretofore appointed, and all persons and parties, that may be required to attend, at such times and places, in said counties, shall be returned and entered, appear and have day, in said court, at the next term thereof, in said counties, respectively, as are appointed in this act.

Certain former acts repealed.

SEC. 3. *It is hereby further enacted*, That all acts, or parts thereof, heretofore passed, the provisions of which are contrary to this act, be, and the same are hereby repealed.

SEC. 4. *It is hereby further enacted*, That the secretary of state, be, and he is hereby directed, to cause this act to be published in all the newspapers in this state as soon as may be.

[*Passed Nov. 5, 1823.*]

CHAPTER 27. AN ACT, in addition to "an act, for the punishment of certain capital crimes, and other high misdemeanors." Passed Nov. 5, 1823.

It is hereby enacted by the General Assembly of the State of Vermont, That whenever the supreme court of judicature shall sentence any person to imprisonment, in the state prison, by virtue of the act, to which this is in addition, the said court shall make a brief report of the case, and of the facts, given in evidence, to aggravate or mitigate the offence, and transmit the same to the governor, on or before the third Thursday of October annually. Sup. ct. to transmit to Gov. a statement of facts on trial of persons sentenced to state prison.

[*Passed Nov. 5, 1823.*]

CHAPTER 28. AN ACT, making provisions for settling the concerns of the Vermont State Bank. Passed Nov. 6, 1823.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That John Jackson, of Orwell, in the county of Rutland, be, and he is hereby appointed and constituted an agent, in behalf of this State, with full powers to collect all demands, secure them in whole or in part, as he may find practicable, and shall, in his opinion, be for the interest of the state, which have arisen or accrued by reason of the establishment of said bank; and also, to make sale of all real estate, belonging to this state, which may have accrued through the medium of said bank; with full power to make, execute and deliver, all necessary conveyances and writings for effecting said purpose, either by deed or bonds, as he shall think will be for the interest of the state; which bonds shall be binding on the state, to perform the conditions thereof: and it shall be the duty of the directors to deliver unto the agent, all demands of any name or nature in their hands, arising out of the proceeds of said bank: and it shall be the duty of said agent to complete said business, as soon as may be consistent, in his opinion, with the interest of the state, and deposit all monies he shall receive, together with a statement of all his doings in the premises, before the first day of November, annually, with the treasurer of the state, whose duty it shall be, to communicate the same to the general assembly.

Agent appointed to settle concerns of state bank.

Powers and duties of agent.

Directors to deliver demands to agent.

A. D. 1823.

Agent to give bond to treasurer for faithful performance of trust.

SEC. 2. *It is hereby further enacted*, That before said agent shall enter on the business aforesaid, he shall execute and deliver to the treasurer of this state, a bond with good and sufficient sureties, to the acceptance of the treasurer, in the penal sum of ten thousand dollars, conditioned for the faithful performance of the trust reposed in him by this act.

[*Passed Nov.* 6, 1823.]

Passed Nov. 6, 1823.

CHAPTER 29. AN ACT, in addition to an act, entitled, "an act regulating town meetings, and the choice and duty of town officers," passed February 28, 1797.

Vacancy in office of town clerk, duties to be performed by first selectman.

In case of sickness, &c. of town clerk one of the selectmen to officiate.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That all vacancies in the office of town clerk, in any town in this state, occasioned by the death or removal of the town clerk, shall be supplied by the first selectman in such town, until a new town clerk shall be chosen: and in case of sickness, temporary absence, or other temporary disability of any town clerk, it shall be lawful for either of the selectmen of such town, to execute the duties of such town clerk, at the office of such clerk, during such temporary absence, sickness or disability.

SEC. 2. *It is hereby further enacted*, That the attestation or signature of the selectman, performing the duties of town clerk, as aforesaid, shall, as nearly as may be, be as follows, to wit, in the case first above provided for, the signature shall be "A. B. first selectman, the town clerk being dead" or "having removed" (as the case may be) and in the other cases above provided for, the signature shall be "A. B. selectman, the town clerk being "sick," "absent" or "disabled," as the case may be.

Form of signature and attestation of selectman acting as town clerk.

[*Passed Nov.* 6, 1823.]

Passed Nov. 6, 1823.

CHAPTER 30. AN ACT, in addition to the several acts, directing the mode of attaching real estate.

In attachment of real estate the substantial part of writ and the officer's return to be recorded in town clerk's office.

It is hereby enacted by the General Assembly of the State of Vermont, That in the service of mesne process and attachment of real estate, it shall be the duty of the officer serving the same, to cause to be recorded in the

town clerk's office, in the town where such real estate may be situated, in a book to be kept for that purpose, the substantial part of said writ, viz. the names of the parties, the nature of the action, the sum demanded, and the date of the same, together with his return thereon; for which service, such town clerk shall receive twenty cents, to be paid by the officer, serving such writ, which sum shall be a legal item of fees for said officer. A. D. 1823. Fees.

[*Passed Nov.* 6, 1823.]

CHAPTER 31. AN ACT, providing for the compiling and reprinting the laws of this State. Passed Nov. 6, 1823.

SECTION 1. *It is hereby enacted, by the General Assembly of the State of Vermont*, That some suitable person, to be appointed by the Governor and council, be, and hereby is authorized to compile and arrange, for printing, all the public statutes of this state, now in force; and, also, to prepare brief notices of the private acts, and repealed acts. Gov. and Council to appoint person to compile public statutes.

SEC. 2. *It is hereby further enacted*, That the said person shall make return of his doings, to the Governor, as soon as may be, after he shall have completed his compilation, that the same may be laid before the next legislature, at an early day thereof, in order that the same, together with the laws of the next session, may be reprinted in one or more convenient volume or volumes. Person appointed to return compilation to Gov. who shall lay the same before the legislature.

[*Passed Nov.* 6, 1823.]

CHAPTER 32. AN ACT, authorizing the quarter master general to loan a certain number of arms, therein mentioned. Passed Oct. 31, 1823.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That the quarter master general of this state be, and hereby is, authorized to loan to the Washington artillery company, seventy five stands of arms, belonging to this state, for the use of said company. Q. M. Gen. authorized to loan arms to Washington artillery.

SEC. 2. *It is hereby further enacted*, That it shall be the duty of the quarter master general, on delivery of said arms to the commissioned officers of said company, to take Q. M. Gen. to take receipt for arms loaned.

A. D. 1823. their receipt therefor, with satisfactory security, for the careful use and redelivery of said arms, in good order, on demand, to the quarter master general of this state for the time being, or to his order.

Arms to be examined by military committee in absence of Q. M. G.

SEC. 3. *It is hereby further enacted*, That it shall be the duty of the military committee in each year, during the session of the legislature, in case of the absence of the quarter master general, to examine said arms, whose report, certified by the chairman of said committee, shall be sufficient evidence to said quarter master general of the condition said arms are in, at the time of said examination,

Q. M. G. authorized to make further loan from year to year.

and if upon the examination of said quarter master general, or by the report of the military committee, so made as aforesaid, it shall appear that said arms are in good order, the said quarter master general shall be authorized to loan the same from year to year, in the same manner as is herein before directed.

[*Passed Oct.* 31, 1823.]

Passed Oct. 31, 1823.

CHAPTER 33. AN ACT, authorizing the quarter master general to loan arms to Capt. Alden Partridge.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That the quarter master general of this state, be, and hereby is, authorized to loan to Capt. Alden Partridge, for the use of the Military and Scientific Academy under his command at Norwich, Vermont, any number of arms from the arsenal of this state, not exceeding one hundred and fifty stands:

Q. M. Gen. to loan arms to Captain Partridge.

Proviso.

Provided, The same can be done, without essential detriment to said arms, and also without inconvenience to the militia of this state.

SEC. 2. *It is hereby further enacted*, That on furnishing said Capt. Partridge with said arms, it shall be the duty of said quarter master general to take a receipt from said Capt. Partridge, with good and sufficient security, therein guaranteeing that said arms shall, at all times, be kept in good order, and fit for service, and ready to be returned on demand, to the quarter master general of this state for the time being, or to his order.

Q. M. Gen. to take receipt from Capt. Partridge.

[*Passed Oct.* 31, 1823.]

CHAPTER 34. AN ACT, increasing the number of trustees of the University of Vermont. Passed Oct. 31, 1823.

Whereas, The corporation of said University have petitioned this legislature to pass a law, increasing the number of their trustees, without increasing the number, necessary to form a quorum to transact business: Preamble.

Therefore,

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That the number of trustees of said University shall, hereafter, be twenty-eight, including the ex-officio members; ten of whom shall be elected by the joint ballot of both houses of the legislature, during the present session: and all future elections shall be made and regulated agreeably to the provisions of an act, in addition to, and amendment of the act, for the purpose of founding a University at Burlington, passed November 2, 1810. Number of trustees to be 28. Ten trustees to be elected at the present session. Future elections regulated by act of Nov. 2, 1810.

SEC. 2. *It is hereby further enacted*, That ten of the said trustees, who shall be in office at any given time, shall be a quorum, at any such time, to transact any business, proper to be done by said corporation, relating to the interests or government of said University. Ten trustees to form a quorum.

SEC. 3. *It is hereby further enacted*, That the Governor of this state, or the president of the University, for the time being, shall have authority to call a meeting of the corporation, whenever, in the opinion of either of them, it shall be necessary or expedient; and it shall be the duty of the Governor, or the president, to call such meeting, on the request in writing of any three members of the corporation. Gov. or Pres. authorized to call meeting of corporation.

[*Passed Oct.* 31, 1823.]

CHAPTER 35. IN GENERAL ASSEMBLY, Oct. 18, 1823.

Auditor directed to allow accounts or publishing general orders.

Resolved, The governor and council concurring herein, that the auditor of accounts against this state, be directed to audit and allow all accounts against this state, for publishing the general orders of the commander in chief of the militia of this state, when such publication is made by direction of the adjutant and inspector general.

Read and adopted.

T. MERRILL, *Clerk.*

IN COUNCIL, Oct. 20, 1823.

Read, and resolved to concur.

D. KELLOGG, *Secretary.*

CHAPTER 36. IN GENERAL ASSEMBLY, Oct. 27, 1823.

Senators in congress instructed, & representatives requested to aid manufacturing interest.

Resolved, The governor and council concurring herein, that the senators from this state in the congress of the United States, be instructed, and the representatives requested, to use every exertion, and to afford every aid in their power, to procure the adoption, by congress, of all lawful measures, for the encouragement and protection of the manufacturing interest of the nation.

Resolved, That the Secretary of state be directed to transmit to each of our senators and representatives in congress, a certified copy of the above resolution.

[*Concurred Nov.* 1, 1823.]

CHAPTER 37. IN GENERAL ASSEMBLY, Oct. 30, 1823.

Preamble.

Whereas, it is found impracticable to carry into effect a resolution of the last session of the legislature, authorizing the quarter master general, to negotiate with the officers of the United States ordnance department, for the purchase of a gun carriage, caisson, &c. for a pattern.

Q. M. Gen. authorized to negotiate for gun carriage, &c. of U. S. modern pattern.

Resolved, The governor and council concurring herein, that the quarter master general be authorized to negotiate with the officers of the United States ordnance department,

or such other person or persons as he may think proper, for a gun carriage, caisson and harness complete, for mounting a six pounder of the United States modern pattern, if in his judgment, it will be conducive to the public good: and that a sum not exceeding three hundred dollars be subject to the order of the governor for that purpose, out of any money in the treasury, not otherwise appropriated. A. D. 1823.

Sum not exceeding $300 appropriated.

[*Concurred Nov.* 4, 1823.]

CHAPTER 38. IN GENERAL ASSEMBLY, NOV. 5, 1823.

Resolved, The governor and council concurring herein, that it be hereby recommended to the several towns of the county of Windham, at their next annual March meeting, to choose a delegate, in each town, to meet at the court house in Newfane, in said county, on the second Tuesday of June next, at their own expense, at ten o'clock in the forenoon; which delegates when convened, are to make examination, for the purpose of ascertaining the best place for the permanent shire of said county, and make report to the next session of the legislature, as well their opinion where the shire or place for the county buildings ought to be fixed, as of such proposals, which may be made towards erecting the county buildings, in different towns or places (on condition the shire be established in said towns or places,) and return their report by the fifth day of the next session of the legislature, under the hands of the said committee, or a major part of them.

Towns in Windham county to choose delegates to locate county buildings.

Resolved also, That the selectmen of the said towns, insert an article in their warnings for the next annual March meetings, notifying, that a delegate is to be chosen to meet in convention, as aforesaid, at Newfane, on the second Tuesday of June next, for locating the shire of Windham county.

Selectmen to notify for choice of delegates.

[*Concurred Nov.* 6, 1823.]

CHAPTER 39. IN GENERAL ASSEMBLY, NOV. 5, 1823.

Resolved, The governor and council concurring herein, that the secretary of state be directed, to transmit one copy of the Vermont State Papers to the President of the Uni-

Sec. of state directed to distribute state papers.

A. D. 1823. ted States; five copies of the same to the library of the congress of the United States; one copy of the same to the governor of each state and territory in the United States; three copies of the same to the University of Vermont; three copies of the same to the college at Middlebury; and three copies of the same to the Military Academy at Norwich; and that the remainder of the said Vermont State Papers, be deposited in the council chamber for the use, and subject to the future disposition of the legislature.

[*Concurred Nov.* 6, 1823.]

CHAPTER 40. IN GENERAL ASSEMBLY, NOV. 6, 1823.

Gov. to appoint person to collect information relative to deaf and dumb.

Resolved, The governor and council concurring herein, that his excellency the governor be directed to appoint some suitable person, whose duty it shall be to collect all such information, as may be useful relative to the education of the deaf and dumb, the probable expense of such education, and make report to the next legislature, on or before the sixth day of the session.

Town clerks to forward list of deaf and dumb to sec. of state.

Also resolved, That the town clerks, in the several towns in this state, be directed to forward to the secretary of this state, on or before the sixth day of the next session of the legislature, a list of all the deaf and dumb, in their respective towns, together with their names, age, circumstances, also the circumstances of their parents, and also note particularly their ability to receive an education.

[*Concurred Nov.* 6, 1823.]

CHAPTER 41. IN GENERAL ASSEMBLY, NOV. 4, 1823.

Certain towns doomed in certain sums.

Resolved, That the several sums affixed to the names of the following towns, ought to be added to their respective lists, it being the amount in which such towns are severally doomed, for not returning satisfactory lists on assessments of mechanics, attornies, physicians, merchants and traders, money on hand and debts due, viz.

Bennington County. Bennington, $500; Manchester, $400: Pownal, $200: Shaftsbury, $240.

Windham County. Halifax, $100: Londonderry, $20: Newfane, $70: Vernon, $200: Westminster $240: Wardsboro', $40.

Windsor County. Reading, $100: Stockbridge, $190: Springfield, $220: Woodstock, $240.

Rutland County. Middletown, $600: Rutland, $1460: Tinmouth, $400.

Orange County. Williamstown, $230: Brookfield, $200.

Grand-Isle County. South Hero, $250.

Addison County. Bridport, $400: Bristol, $300: Ferrisburgh, $200: Monkton, $320: Salisbury, $60: Vergennes, $400.

Chittenden County. Burlington, $2000: Charlotte, $250: Essex, $200: Jericho, $200: Shelburne, $40: Westford, $40.

Franklin County. Bakersfield, $150: Cambridge, $300: Fairfax, $300: Fairfield, $300: Georgia, $400: Highgate, $500: Sheldon, $150.

Orleans County. Barton, $50: Irasburgh, $200.

Caledonia County. Ryegate, $150.

Read and adopted.

T. MERRILL, *Clerk.*

CHAPTER 42. IN GENERAL ASSEMBLY, Oct. 15, 1823.

Gov. requested to furnish information relative to propagation rights.

Resolved, The governor and council concurring herein, that his excellency the governor of this state be requested to make satisfactory inquiry of the counsel, employed by the state, to defend the suit against New-Haven, lately determined before the supreme court of the United States; or in any other way, he shall deem expedient, to ascertain the true situation of the rights of land, originally granted in this state, "for the propagation of the gospel in foreign parts," and if said determination settles the title to said rights, in every respect; and to communicate the result of said inquiry to the next session of the legislature.

[*Concurred Nov.* 3, 1823.]

STATE OF VERMONT.

Secretary of State's Office, Woodstock, November 15, 1823.

I certify that the foregoing, forty-two chapters, are true copies of the original acts and resolutions, on file, in my office.

NORMAN WILLIAMS, Secretary of State.

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LAWS OF VERMONT,

PASSED

OCTOBER SESSION,

A. D. 1823.

PRIVATE ACTS.

GRANTS OF MONEY, REMISSION AND SUSPENSION OF DEBTS DUE TO THE STATE.

CHAPTER 1. AN ACT, directing the treasurer to pay Benjamin Adams, the sum therein mentioned. Passed Oct. 21, 1823.

It is hereby enacted by the General Assembly of the State of Vermont, That the treasurer be, and hereby is, directed to pay Benjamin Adams, of South Hero, the sum of sixty-nine dollars and fifty cents, out of any monies in the treasury, not otherwise appropriated; it being for expenses by him incurred in pursuing and bringing to justice, Joel H. Harvey and Silas Hathaway, jun. two felons, convicted of burglary and larceny. Treasurer directed to pay Benj. Adams $69 50.

[*Passed Oct.* 21, 1823.]

CHAPTER 2. AN ACT, directing the treasurer to pay Timothy P. Bartholomew, the sum therein mentioned. Passed Oct. 24, 1823.

It is hereby enacted by the General Assembly of the State of Vermont, That the treasurer of this state be, and he hereby is, directed to pay, Timothy P. Bartholomew, of Thetford in the county of Orange, seventeen dollars, out of any monies in the treasury, not otherwise appropriated, it being for monies by him expended in arresting a felon. Treasurer directed to pay T. P. Bartholomew $17

[*Passed Oct.* 24, 1823.]

A. D. 1823.

Passed Oct. 24, 1823.

CHAPTER 3. AN ACT, directing the treasurer to pay Abel Page the sum therein mentioned.

Treasurer directed to pay Abel Page $10 67.

It is hereby enacted by the General Assembly of the State of Vermont, That the treasurer of this state be, and he is, hereby, directed to pay Abel Page, the sum of ten dollars and sixty-seven cents; it being for boarding Olive De Rushe, while confined in jail in Rutland, she not having any legal settlement in this state.

[*Passed Oct.* 24, 1823.]

Passed Oct. 24, 1823.

CHAPTER 4. AN ACT, directing the treasurer to pay William Boardman the sum therein mentioned.

Treasurer directed to pay William Boardman $38 64

It is hereby enacted by the General Assembly of the State of Vermont, That the treasurer of this state be, and he is, hereby, directed to pay to William Boardman the sum of thirty-eight dollars and sixty-four cents out of any monies in the treasury, not otherwise appropriated; being his expenses incurred in apprehending Nearly Norris, a felon.

[*Passed Oct.* 24, 1823.]

Passed Oct. 24, 1823.

CHAPTER 5. AN ACT, authorizing the treasurer of this state to pay Otis King, the sum therein named.

Treasurer directed to pay O. King $58 39

It is hereby enacted by the General Assembly of the State of Vermont, That the treasurer of this state, be, and he is hereby, directed to pay Otis King, the sum of fifty-eight dollars and thirty-nine cents, out of any monies in the treasury not otherwise appropriated; it being for apprehending and bringing to justice, John Morrison a felon.

[*Passed Oct.* 24, 1823.]

Passed Oct. 24. 1823.

CHAPTER 6. AN ACT, for compensating the superintendent of the Vermont State Prison.

It is hereby enacted by the General Assembly of the State of Vermont, That John H. Cotton, superintendent

of the Vermont State prison, is hereby authorized to credit himself, on the books of said institution, the sum of five hundred dollars; and also be allowed for the charges there, against him, for house rent, fuel and bread and meat provisions, a sum not exceeding three hundred and fifty dollars; it being for services, as superintendent of said prison, ending December 1, 1823. A. D. 1823.

Superintendent of state prison, authorized to credit himself a certain sum.

[*Passed Oct.* 24, 1823.]

CHAPTER 7. AN ACT, directing the treasurer to pay Job Lyman the sum therein mentioned. Passed Oct. 24, 1823.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That the treasurer of this state be, and hereby is, directed to pay Job Lyman, the sum of one hundred and twenty dollars and sixty-eight cents; it being for the support and necessary guarding of Samuel E. Godfrey, a state prisoner, by Solomon W. Burk, deceased, late sheriff of the county of Windsor, and of whose estate the said Job Lyman is administrator. Treasurer directed to pay J. Lyman, Adm. of S. W. Burk $120 68

SEC. 2. *It is hereby further enacted*, That the said Job Lyman be directed to pay said money on the judgment, recovered against said Lyman, as administrator to the estate of said Burk, at the session of the supreme court, in Windsor county, in September 1822, in favor of Return B. Brown. Adm. to apply money on judg't Brown vs. Burk.

[*Passed Oct.* 24, 1823.]

CHAPTER 8. AN ACT, directing the treasurer to pay the town of New-Haven, the sum therein named. Passed Oct. 25, 1823.

It is hereby enacted by the General Assembly of the State of Vermont, That the treasurer of this state be, and he is hereby, directed to pay to the town of New-Haven, the sum of one hundred and fifty three dollars and eighty-one cents; it being for cost and expenses, paid by said town, in the suit in favor of the society for propagating the gospel in foreign parts, against said town and William Wheeler. Treasurer directed to pay New-Haven $153 81.

[*Passed Oct.* 25, 1823.]

A. D. 1823.

Passed Oct. 25, 1823.

CHAPTER 9. AN ACT, directing the treasurer to pay Jonathan Cooke, the sum therein mentioned.

Treasurer directed to pay J. Cooke D. 25 50

It is hereby enacted by the General Assembly of the State of Vermont, That the treasurer of this state be directed to pay Jonathan Cooke, the sum of twenty-five dollars and fifty cents, out of any money in the treasury not otherwise appropriated; being for money by him expended, in apprehending and recommitting to the common jail in Orleans county, one Randal Sumner, a state prisoner.

[*Passed Oct.* 25, 1823.]

Passed Oct. 27, 1823.

CHAPTER 10. AN ACT, directing the treasurer to pay Nicholas Guindon, the sum therein mentioned.

Treasurer directed to pay N. Guindon D. 10 34.

It is hereby enacted by the General Assembly of the State of Vermont, That the treasurer be, and hereby is, directed to pay Nicholas Guindon, the sum of ten dollars and thirty-four cents, out of any money in the treasury not otherwise appropriated; it being for money expended, by him, in apprehending and bringing to justice a felon.

[*Passed Oct.* 27, 1823.]

Passed Oct. 31, 1823.

CHAPTER 11. AN ACT, directing the treasurer to pay Jonathan Dike, jun. the sum therein mentioned.

Treasurer directed to pay J. Dike, jr. D. 75 43.

It is hereby enacted by the General Assembly of the State of Vermont, That the treasurer of this state be, and he hereby is directed to pay Jonathan Dike, jun. sheriff of the county of Rutland, the sum of seventy-five dollars and forty-three cents, out of any monies in the treasury not otherwise appropriated; it being for monies expended by said Dike, for apprehending and returning to the jail in Rutland, Peter Winny, Paul Brown and John Anderson, state prisoners, who had escaped from said jail.

[*Passed Oct.* 31, 1823.]

A. D. 1823.

CHAPTER 12. AN ACT, directing the treasurer of this state to pay Benjamin Brock, the sum therein mentioned. Passed Oct. 31, 1823.

It is hereby enacted by the General Assembly of the State of Vermont, That the treasurer of this state be, and he is hereby, directed to pay Benjamin Brock, the sum of sixteen dollars and eighteen cents, out of any money in the treasury, not otherwise appropriated; it being for his expenses incurred in apprehending and bringing to justice one Perkins Dunning, for theft. Treasurer to pay B. Brock, $16 18

[*Passed Oct.* 31, 1823.]

CHAPTER 13. AN ACT, directing the treasurer to pay Joshua Y. Vail, the sum therein mentioned. Passed Nov. 1, 1823.

It is hereby enacted by the General Assembly of the State of Vermont, That the treasurer of this state be, and he hereby is, directed to pay Joshua Y. Vail the sum of forty dollars and nineteen cents: it being for monies by him expended and services, in repairing the state buildings, the present year. Treasurer directed to pay Joshua Y. Vail, $40 19

[*Passed Nov.* 1, 1823.]

CHAPTER 14. AN ACT, directing the treasurer to pay Bingham Lasel, the sum therein mentioned. Passed Nov. 3, 1823.

It is hereby enacted by the General Assembly of the State of Vermont, That the treasurer be, and he hereby is, directed to pay Bingham Lasel of St. Albans, the sum of four dollars and fifty cents, out of any monies in the treasury, not otherwise appropriated; it being for boarding and supporting, in jail, Duncan Holmes, and Michael Cunningham, two prisoners, having no legal settlement in this state. Treasurer directed to pay B. Lasel $4 50

[*Passed Nov.* 3, 1823.]

A. D. 1823.

Passed Nov. 3, 1823.

CHAPTER 15. AN ACT, directing the treasurer to pay John Loveland the sum therein mentioned.

Treasurer directed to pay J. Loveland $27

It is hereby enacted by the General Assembly of the State of Vermont, That the treasurer of this state be, and hereby is, directed to pay John Loveland the sum of twenty seven dollars, out of any monies in the treasury, not otherwise appropriated; it being for money by him expended, in apprehending and bringing to justice, one Benjamin Smith, a horse thief.

[*Passed Nov.* 3, 1823.]

Passed Nov. 5, 1823.

CHAPTER 16. AN ACT, directing the treasurer to pay Nathaniel Wheatley, jun. the sum therein mentioned.

Treasurer directed to pay Nathaniel Wheatley, jun. $7 13

It is hereby enacted by the General Assembly of the State of Vermont, That the treasurer of this state be, and he is hereby, directed to pay Nathaniel Wheatley, jun. the sum of seven dollars and thirteen cents, out of any monies in the treasury, not otherwise appropriated; it being for expenses incurred in summoning witnesses to attend a court martial.

[*Passed Nov.* 5, 1823.]

Passed Nov. 5, 1823.

CHAPTER 17. AN ACT, directing the treasurer to pay Robert Temple the sum therein mentioned.

Treasurer directed to pay R. Temple $76 25

It is hereby enacted by the General Assembly of the State of Vermont, That the treasurer of this state be, and he hereby is, directed to pay Robert Temple the sum of seventy-six dollars and twenty-five cents, out of any money in the treasury, not otherwise appropriated; it being for monies by him expended, in procuring a copper plate engraving for military commissions.

Proviso.

Provided, The said Temple shall execute and deposit, with the secretary to the governor and council, a writing, transferring said plate to this state.

[*Passed Nov.* 5, 1823.]

CHAPTER 18. AN ACT, directing the treasurer to pay Daniel G. Huntington and Seth J. Hitchcock the sum therein mentioned. Passed Nov. 5, 1823.

It is hereby enacted by the General Assembly of the State of Vermont, That the treasurer of this state be, and hereby is directed to pay Daniel G. Huntington and Seth J. Hitchcock, of Shaftsbury, in the county of Bennington, the sum of thirty-two dollars and twenty-four cents, out of any monies in the treasury not otherwise appropriated; it being for money by them paid for a pedlar's licence, which has not been improved,—on delivering to said treasurer such licence to be cancelled; and in that case the said Huntington and Hitchcock shall have no benefit from said licence, but the same shall be void.

Treasurer directed to pay D. G. Huntington & S.J. Hitchcock $32 24

Pedlar's licence to be delivered to treasurer.

[*Passed Nov.* 5, 1823.]

CHAPTER 19. AN ACT, directing the treasurer to pay the town of Danville the sum therein mentioned. Passed Nov. 6, 1823.

It is hereby enacted by the General Assembly of the State of Vermont, That the treasurer of this state be, and he is hereby, directed to pay the town of Danville the sum of twelve dollars and seventy-five cents, out of any money in the treasury not otherwise appropriated: it being for expenses incurred in supporting one Trustom Conner, a poor person, confined in jail in said Danville, he having no legal settlement in this state.

Treasurer to pay Danville $12 75

[*Passed Nov.* 6, 1823.]

A. D. 1823.

Passed Oct. 21, 1823.

CHAPTER 20. AN ACT, for the relief of the town of Somerset.

Town of Somerset discharged from state tax on list of 1822.

It is hereby enacted by the General Assembly of the State of Vermont, That the town of Somerset, in the county of Windham, be, and hereby is discharged from the payment of the state tax, made on the list of the year 1822; their list for said year not amounting to the sum of three thousand three hundred and thirty dollars, and said town not being represented in the general assembly.

[*Passed Oct.* 21, 1823.]

Passed Oct. 21, 1823.

CHAPTER 21. AN ACT, for the relief of the town of Goshen.

Town of Goshen discharged from state tax of 1822.

It is hereby enacted by the General Assembly of the State of Vermont, That the town of Goshen in the county of Addison, be, and hereby is, discharged from paying any state tax on the list of the year 1822; their list for said year not amounting to three thousand, three hundred and thirty dollars, and said town was not represented in the general assembly.

[*Passed Oct.* 21, 1823.]

Passed Oct. 31, 1823.

CHAPTER 22. AN ACT for the relief of the town of Reading.

Town of Reading discharged from part of fine.

It is hereby enacted by the General Assembly of the State of Vermont, That the town of Reading be, and hereby is, exonerated and discharged from the payment of the sum of one hundred dollars: being part of a fine assessed upon said town, by the county court, for the county of Windsor, at the last September term, upon an indictment against said town for not repairing a road; and that the clerk of said court, on receiving a certified copy of this act, shall deduct said sum from said fine and cost and issue a warrant for the balance only.

[*Passed Oct.* 31, 1823.]

CHAPTER 23. AN ACT for the relief of Israel Hurlburt. Passed Oct. 27, 1823.

It is hereby enacted by the General Assembly of the State of Vermont, That the state's attorney, in and for the county of Rutland, is hereby authorized and directed to take and receive of Israel Hurlburt, of Castleton in said county, his promissory note or notes, with one or more sufficient sureties, payable in three equal, annual instalments, to commence on the first day of October 1824, in satisfaction of the fine and cost, which he was sentenced to pay, by the supreme court of judicature, at their February term, 1823, in Rutland county, or of any security or obligation heretofore given to secure the payment of said fine and cost. State's attorney of Rutland co. to receive security of I. Hurlburt for fine and cost.

Provided, That the said Israel shall take no benefit of this act, unless he procure and offer such note or notes, with surety, by the first Monday of December next. Security to be offered by first Monday of Dec.

[*Passed Oct. 27, 1823.*]

CHAPTER 24. AN ACT for the relief of the selectmen of Brandon. Passed Oct. 24, 1823.

It is hereby enacted by the General Assembly of the State of Vermont, That the treasurer of the state be and is hereby, directed to stay any further proceedings on the extent, which he has issued against the selectmen of Brandon, for the collection of the state tax for the year 1821, on the selectmen giving sufficient security for the payment of the same, within two years from the passing of this act. Treasurer to stay proceedings against selectmen of Brandon, on receiving security.

[*Passed Oct. 24, 1823.*]

CHAPTER 25. AN ACT, directing the treasurer of this state to suspend the issuing of an extent against the town of Lyndon, for the time therein mentioned. Passed Oct. 27, 1823.

It is hereby enacted by the General Assembly of the State of Vermont, That the treasurer of this state be, and he hereby is, directed to suspend, for the term of one year from the passing of this act, issuing an extent against the town of Lyndon, in the county of Caledonia, for default of the first constable of said town in not paying into the treasury the tax of said town, for the year 1821. Treasurer directed to stay proceedings against the town of Lyndon.

[*Passed Oct. 27, 1823.*]

LAND AND COUNTY TAXES.

CHAPTER 26. AN ACT, laying a tax of four cents per acre on the town of Washington. Passed Oct. 24, 1823.

It is hereby enacted by the General Assembly of the State of Vermont, That there be, and hereby is laid a tax of four cents per acre, on all the lands in the town of Washington, in the county of Orange—publick lands excepted—for the purpose of making and repairing roads, and building bridges in said town, to be laid out and expended under the direction of Thomas Austin, Nathaniel Sleeper, and Gideon Downing, all of said Washington, who are hereby appointed a committee to superintend the expenditure of said tax: all the tax arising from non-resident lands in said town, to be expended on the road from Bartholomew's corner to Corinth line, by Elijah Row's, and the road, laid out by a committee from the Supreme Court in November, last past; and the remainder of said tax to be expended in the several highway districts, elsewhere, about said town: and any justice of the peace, within and for the county of Orange, is hereby authorized and directed to issue his warrant to Stewart Brown of said Washington, who is hereby appointed a collector to collect said tax: and said committee and collector are hereby directed, in collecting, expending and accounting for the money to be raised by said tax, to govern themselves, in all things, agreeably to the provisions of the general statutes in such case made and provided.

Tax of four cents assessed on Washington.

Committee.

Tax where to be expended.

Collector.

[*Passed Oct.* 24, 1823.]

CHAPTER 27. AN ACT, laying a tax of four cents per acre on the town of Orange. Passed Oct. 24, 1823.

It is hereby enacted by the General Assembly of the State of Vermont, That there be, and hereby is, laid a tax of four cents per acre on all the lands in the township

Tax of four cents assessed on Orange

A. D. 1823. of Orange in the county of Orange—lands sequestered to publick, pious and charitable uses excepted—for the purpose of making a market road through said town, laid out by a committee, appointed by the legislature of this state, at their session in October 1820; and also another road, laid out through the south east corner of said town, by a committee, appointed by the supreme court, at their August term, 1822: to be laid out under the direction of Nathaniel M. C. Richardson, James Wheeler and Andrew Richardson, all of said Orange, who are hereby appointed a committee to superintend the expenditure of said tax: and any justice of the peace, for the county of Orange, is hereby authorized to issue his warrant to Dyar Waterman, of said Orange, who is hereby appointed a collector to collect said tax: and said committee and collector are hereby directed, in the collection, expenditure and accounting for the monies, raised by said tax, to govern themselves, in all things, by the general statutes of this state, in such case made and provided.

Tax where to be expended.

Committee.

Collector.

[*Passed Oct.* 24, 1823.]

Passed Oct. 24, 1823.

CHAPTER 28. AN ACT, laying a tax of four cents per acre on the town of Westfield.

It is hereby enacted by the General Assembly of the State of Vermont, That there be, and hereby is, laid a tax of four cents per acre, on all the lands in the township of Westfield in the county of Orleans—lands sequestered to publick, pious and charitable uses excepted—for the purpose of making and repairing roads and building bridges in said town; one third part of said tax to be expended on the road, leading from Kelleyvale to Montgomery, through Hazen's notch, so called, and the remainder of said tax, at the discretion of the committee; said tax to be expended under the superintendence of Joseph Scott of Craftsbury, and Jairus Stebbins and James Brown of said Westfield, who are hereby appointed a committee to superintend the expenditure of said tax: and any justice of the peace, within and for the county of Orleans, is hereby authorized and directed to issue his warrant to Henry Carey of said Westfield, who is hereby appointed a collector to collect said tax; and the said committee and collector are hereby directed, in the collection, expenditure and accounting for

Tax of four cents assessed on Westfield.

Tax where to be expended.

Committee.

Collector.

the monies to be raised by said tax, to govern themselves, A. D. 1823.
in all things, by the general statutes of this state in such case made and provided.

[*Passed Oct.* 24, 1823.]

CHAPTER 29. AN ACT, laying a tax of four cents, per acre, on the town of Glover in the county of Orleans. Passed Oct. 24, 1823.

It is hereby enacted by the General Assembly of the State of Vermont, That there be, and hereby is, laid a tax of four cents, per acre, on all the lands in the township of Glover, in the county of Orleans—lands sequestered for publick, pious and charitable uses excepted—for the purpose of making and repairing roads and building bridges in said town; one half of said tax to be laid out on the roads, the east side of a centre line, running north and south through said town, and the other half to be laid out, on the roads on the west side of said centre line in said town, to be laid out under the direction of Nathaniel French, Michael Ufford and Ziba Bliss all of said Glover, who are hereby appointed a committee to superintend the expenditure of said tax: and any justice of the peace, within and for said county of Orleans, is hereby authorized and directed to issue his warrant to John Boardman of said Glover, who is hereby appointed a collector to collect said tax: and said committee and collector are hereby directed, in the collection, expenditure and accounting for the monies, raised by said tax, to govern themselves, in all things, agreeably to the general statutes of this state, in such case made and provided.

Tax of four cents assessed on Glover.

Tax where to be expended.

Committee.

Collector.

[*Passed Oct.* 24, 1823.]

CHAPTER 30. AN ACT, laying a tax of two cents per acre on Kelley's Grant, No. 2. Passed Oct. 24, 1823.

It is hereby enacted by the General Assembly of the State of Vermont, That there be, and hereby is, laid a tax of two cents per acre, on that part of the township of Kelleyvale, commonly called Kelley's Grant, number two, in the county of Orleans,—lands sequestered to publick, pious, and charitable uses excepted,—for the purpose of

Tax of two cents on Kelly's Grant, No. 2.

A. D. 1823. making and repairing roads and building bridges in said town; to be expended under the direction of Samuel H. Hovey of Troy, William Rowell of Albany and John Harding of said Kelleyvale, who are hereby appointed a committee to superintend the expenditure of the same; two thirds of said tax to be laid out and expended on the road leading from Albany to Troy and the other third of said tax to be laid out and expended on the road, leading from Asahel Curtis's in said Kelleyvale, to Irasburgh: and any justice of the peace, within and for the county of Orleans, is hereby authorized to issue his warrant to Abel Curtis of said Kelleyvale, who is hereby appointed a collector, to collect said tax: and said committee and collector are hereby directed in collecting, expending and accounting for, the monies raised by said tax, to govern themselves, in all things, conformably to the general statutes of this state, in such case made and provided.

Committee.

Tax where to be expended.

Collector.

[*Passed Oct.* 24, 1823.]

Passed Oct. 24, 1823.

CHAPTER 31. AN ACT, laying a tax of four cents, per acre on the lands in the town of Brownington.

It is hereby enacted by the General Assembly of the State of Vermont, That there be, and hereby is, laid a tax of four cents per acre, on all the lands in the township of Brownington, in the county of Orleans—lands sequestered to publick, pious and charitable uses excepted—for the purpose of making and repairing roads, and building bridges in said town; to be expended under the direction of Samuel Smith, jun. James Seavey and Samuel Ward, all of said Brownington, who are hereby appointed a committee to superintend the expenditure of said tax: and any justice of the peace, within and for the county of Orleans, is hereby authorized to issue his warrant to Amherst Steward of Brownington, aforesaid, who is hereby appointed a collector, to collect said tax: and said committee and collector, are hereby directed, in the collection of said tax and in the expenditure and accounting for the monies raised thereby, to govern themselves, in all things, conformably to the general statutes of this state, in such case made and provided.

Tax of four cents assessed on Brownington.

Committee.

Collector.

[*Passed Oct.* 24, 1823.]

A. D. 1823.

CHAPTER 32. AN ACT, laying a tax of four cents, per acre, on the town of Franklin. Passed Oct. 25, 1823.

It is hereby enacted by the General Assembly of the State of Vermont, That there be, and hereby is, laid a tax of four cents, per acre, on all the lands in the town of Franklin—lands sequestered for publick, pious and charitable uses excepted—for the purpose of making and repairing roads and building bridges in said town; to be expended under the direction of William Felton, Enos Parsons and Elisha Bascomb, all of Franklin, aforesaid, who are hereby appointed a committee, to superintend the expenditure of said tax: and any justice of the peace, within and for the county of Franklin, is hereby authorized to issue his warrant to Asa Haskins of Franklin, aforesaid, who is hereby appointed a collector to collect said tax: and said committee and collector, in the collection, expenditure, and accounting for said tax, are hereby directed to govern themselves in all things, by the general laws of this state, in such case made and provided.

Tax of four cents assessed on Franklin.

Committee.

Collector.

[*Passed Oct.* 25, 1823.]

CHAPTER 33. AN ACT, laying a tax of three cents, per acre, on the town of Sherburne in the county of Rutland. Passed Oct. 25, 1823.

It is hereby enacted by the General Assembly of the State of Vermont, That there be, and hereby is, laid a tax of three cents, per acre, on all the lands in the town of Sherburne, in the county of Rutland—lands sequestered to publick, pious, and charitable uses, and also that part of Sherburne formerly called Parker's gore excepted—for the purpose of making and repairing roads and building bridges in said town; to be laid out, under the direction of Josiah Wood, jun. Joseph Anthony and David Rice, all of Sherburne aforesaid, who are hereby appointed a committee to superintend the expenditure of said tax; four hundred and sixty dollars of said tax, to be laid out, on the road leading across the mountain, from the saw-mill in said town, to Parkerstown line, and the remainder of said tax, to be laid out and expended, on the roads in Sherburne, as the said committee shall judge best: and any justice of the peace within and for the county of Rutland, is hereby au-

Tax of three cents assessed on Sherburne.

Committee.

Tax where to be expended.

A. D. 1823. thorized to issue his warrant to Albro Anthony of said Sherburne, who is hereby appointed a collector, to collect said tax: and said committee and collector are hereby directed, in collecting, expending, and accounting for, the monies, raised by said tax, to govern themselves, in all things, conformably to the general statutes of this state, in such case made and provided.

Collector.

[*Passed Oct.* 25, 1823.]

Passed Oct. 25, 1823.

CHAPTER 34. AN ACT, laying a tax, of five cents per acre, on the town of Highgate.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That there be, and hereby is, laid a tax of five cents, on each acre of land, in the town of Highgate, Marvin's gore, and that part of Alburgh, which is annexed to said town of Highgate, in the county of Franklin—lands sequestered for publick, pious and charitable uses, and also that part of the fourth and fifth divisions in said town of Highgate, which is below high-water mark, excepted—for the purpose of making and repairing roads, and building bridges in said town; to be expended, in the manner herein after directed, under the direction of Thomas Best, Stephen S. Keyes, and Joseph B. Cutler, all of said Highgate, who are hereby appointed a committee to superintend the expenditure of the same; and any justice of the peace, within and for the county of Franklin, is hereby authorized to issue his warrant to Edward C. Haskins of said Highgate, who is hereby appointed a collector to collect said tax: and said committee and collector, are hereby directed in the collection, and expenditure, and accounting for said tax, to govern themselves, in all things, conformably to the general statutes of this state, in such case made and provided.

Tax of five cents on Highgate, Marvin's Gore and part of Alburgh.

Committee.

Collector.

SEC. 2. *It is hereby further enacted*, That seven hundred and fifty dollars of said tax, shall be expended in building a bridge across Missisque river, at such place, near Keyes' falls, as shall be designated by Alfred Keith of Sheldon, Benjamin Swift of St. Albans, and Henry Tichout of Essex, who are hereby appointed a committee, whose duty it shall be, to view and examine the premises, and designate the place, at which said bridge shall be built.

$750 of tax to be expended in building bridge.

Committee to designate place for bridge.

[*Passed Oct.* 25, 1823.]

A. D. 1823.

CHAPTER 35. AN ACT, laying a tax of four cents per acre on the town of Barton in the county of Orleans. Passed Oct. 24, 1823.

It is hereby enacted by the General Assembly of the State of Vermont, That there be, and hereby is, laid a tax of four cents, per acre, on all the lands in Barton in the county of Orleans,—lands, sequestered to publick, pious and charitable uses excepted—for the purpose of making and repairing roads and building bridges in said town; to be laid out under the direction of Roger Enos of Irasburgh andBenjamin Wiggins and Jonathan Robinson of Barton in the county of Orleans, aforesaid, who are hereby appointed a committee to superintend the expenditure of said tax: and any justice of the peace, within and for said Orleans county, is hereby authorized and directed to issue his warrant to George W. Kimball of said Barton, who is hereby appointed a collector to collect said tax: and said committee and collector are hereby directed, in the collection, expenditure and accounting for the monies raised by said tax, to govern themselves, in all things, agreeably to the general statutes of this state, in such case made and provided.

Tax of four cents assessed onBarton.

Committee.

Collector.

[*Passed Oct.* 24, 1823.]

CHAPTER 36. AN ACT, in addition to and alteration of an act, entitled, "an act laying a tax of four cents per acre, on the town of Barton, in the county of Orleans, passed October 24, A. D. 1823. Passed Nov. 6, 1823.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That one hundred and seventy dollars of the tax to be raised by the act, to which this is in addition, shall be laid out, and expended on the road leading from Cobb's mills in Barton, down Barton river to Coventry; and eighty dollars of said tax shall be expended on the road leading from Barton river to Ira Merrill's, in Irasburgh: and that John Kimball, James Salisbury and Benjamin Wiggins, all of said Barton, are hereby appointed a committee to superintend the expenditure of the tax, to be raised by the act to which this is in addition; which committee are, in all things, to govern themselves by the general laws and statutes of this state, in such case made and provided.

Tax where to be expended.

Committee.

A. D. 1823. SEC. 2. *It is hereby further enacted,* That so much of the said act, of which this is in addition to, and alteration of, as goes to appoint Roger Enos and Jonathan Robinson a part of the committee to superintend the expenditure of said tax, be, and the same is, hereby repealed.

Part of former act repealed.

[*Passed Nov.* 6, 1823.]

Passed Oct. 24, 1823.

CHAPTER 37. AN ACT, laying a tax of four cents, per acre, on the township of Greensboro' in the county of Orleans.

It is hereby enacted by the General Assembly of the State of Vermont, That there be, and hereby is, laid a tax of four cents per acre, on all the lands in Greensboro' in the county of Orleans,—lands sequestered to publick, pious and charitable uses excepted,—for the purpose of making and repairing roads and building bridges in said town; to be expended under the direction of Samuel Huntington, Stephen Sherman and Elijah Burroughs, all of said Greensboro', who are hereby appointed a committee to superintend the expenditure of said tax: and any justice of the peace within and for the county of Orleans, is hereby authorized and directed to issue his warrant to Willard Lincoln of said Greensboro', who is hereby appointed a collector to collect said tax: and the said committee and collector are hereby directed, in the collection, expenditure and accounting for the monies to be raised by said tax, to conform themselves in all things to the directions of the general statutes of this state, in that case made and provided.

Tax of four cents assessed on Greensboro'.

Committee.

Collector.

[*Passed Oct.* 24, 1823.]

Passed Oct. 24, 1823.

CHAPTER 38. AN ACT, in addition to an act and to revive an act, entitled an act, laying a tax of four cents, on the acre, on the town of Mansfield in the county of Chittenden, passed Oct. 28, 1822.

It is hereby enacted by the General Assembly of the State of Vermont, That an act, laying a tax of four cents per acre on the town of Mansfield, in the county of Chittenden, passed the 28th day of October, 1822, be and the same is hereby revived in all its parts, to take effect, the same as though it had been passed the present session.

Act assessing a tax of four cents per acre on Mansfield passed Oct. 28, 1822, revived.

[*Passed Oct.* 24, 1823.]

A. D. 1823.

CHAPTER 39. AN ACT, laying a tax of three cents, per acre, on the town of Victory, in the county of Essex. Passed Oct. 24, 1823.

It is hereby enacted by the General Assembly of the State of Vermont, That there be, and hereby is, laid a tax of three cents per acre, on the township of Victory in the county of Essex,—lands sequestered for publick, pious and charitable uses excepted—for the purpose of making a road from the east line of the town of Burke, in the county of Caledonia, through the town of Victory to the west line of the town of Lunenburgh in said Essex county; to be expended under the direction of Ebenezer Darling, Matthew Cushing of Burke, and Robert Moore of Lunenburgh, who are hereby appointed a committee to superintend the expenditure of said tax: and any justice of the peace, within and for the county of Essex, is hereby authorized and directed to issue his warrant to Isaac Denison of Burke, in the county of Caledonia, who is hereby appointed a collector to collect said tax: and said committee and collector are to govern themselves, in all things, conformably to the general statute of this state, in that case made and provided.

Tax of three cents assessed on Victory

Tax where to be expended.

Committee.

Collector.

[*Passed Oct. 24, 1823.*]

CHAPTER 40. AN ACT, laying a tax of three cents per acre, on the town of Albany, in the county of Orleans. Passed Oct. 24, 1823.

It is hereby enacted by the General Assembly of the State of Vermont, That there be, and hereby is, laid a tax of three cents, per acre, on all the lands in Albany in the county of Orleans,—lands sequestered to publick, pious, and charitable uses excepted—for the purpose of making and repairing roads and building bridges in said town; to be laid out, under the direction of Samuel English, Samuel Hardy and Daniel Rowell, all of Albany aforesaid, who are appointed a committee to superintend the expenditure of said tax: and any justice of the peace, within and for said Orleans county, is hereby authorized and directed to issue his warrant to William Hidden of said Albany, who is hereby appointed a collector to collect said tax: and said committee and collector are hereby directed, in the collection, expenditure and accounting for the monies, raised by

Tax of three cents on Albany.

Committee.

Collector.

A. D. 1823. said tax, to govern themselves, in all things, agreeably to the general statutes of this state, in such case made and provided.

[*Passed Oct.* 24, 1823.]

Passed Oct. 25, 1823.

CHAPTER 41. AN ACT, laying a tax of two cents per acre, on all the lands in the town of Jay.

It is hereby enacted by the general Assembly of the State of Vermont, That there be, and hereby is, assessed a tax, of two cents per acre, on all the lands in the township of Jay, in the county of Orleans,—lands sequestered for publick, pious, and charitable uses excepted—for the purpose of making and repairing roads, and building bridges in said town; to be expended under the direction of Martin Chittenden, and Truman Chittenden, of Williston, in the county of Chittenden, and Jairus Stebbins, of Westfield, in the county of Orleans: and any justice of the peace, within and for the county of Orleans, is hereby authorized to issue his warrant to Madison Keith of Jay aforesaid, who is hereby appointed a collector to collect said tax: and said committee and collector are hereby directed, in the collection, expenditure, and accounting for, the monies to be raised by said tax, to govern themselves, in all things, according to the general statutes of this state, in such case made and provided.

Tax of two cents assessed on Jay.

Committee.

Collector.

[*Passed Oct.* 25, 1823.]

Passed Oct. 25, 1823.

CHAPTER 42. AN ACT, laying a tax of four cents per acre on the town of Plymouth.

SECTION 1. *It is hereby enacted, by the General Assembly of the State of Vermont*, That there be, and hereby is, laid a tax of four cents, per acre, on all the lands in the township of Plymouth, in the county of Windsor,—publick rights excepted,—for the purpose of making and repairing roads, and building bridges in said town; three-tenths of said tax, to be laid out on the road that leads from Bridgewater line, by John Lakin's down the gulph to Black river; and three-tenths of said tax to be laid out, on the road, recently laid out, from the dwelling house of Oli-

Tax of four cents assessed on Plymouth.

Tax where to be expended.

ver Coolidge, in said Plymouth, up Black river to Bridgewater line; one tenth to be laid out on the road, that leads from Asa Hosley's house in said Plymouth, to Bridgewater line; and three-tenths to be laid out on the road recently laid from Silas Briggs' saw-mill to Mount-Holley until it intersects an old survey of a county road, and from thence at the discretion of the committee; to be expended under the direction of Joseph Kennedy, Levi Slack, and Abner Aldrich, who are hereby appointed a committee, to superintend the expenditure of said tax; and any justice of the peace, within and for the county of Windsor, is hereby authorized and directed to issue his warrant to Jacob Marsh of said Plymouth, who is hereby appointed a collector, to collect said tax. A. D. 1823. Committee. Collector.

SEC. 2. *And it is hereby further enacted*, That the said committee and collector be, and they are hereby, directed in the collection, expending, and accounting for the monies, to be raised by said tax, to govern themselves in all things, by the general directions of the laws of this state, in such case made and provided. Duties of committee and collector.

[*Passed Oct.* 25, 1823.]

CHAPTER 43. AN ACT, laying a tax of four cents per acre on the town of Sheldon. Passed Oct. 31, 1823.

It is hereby enacted by the General Assembly of the State of Vermont, That a tax of four cents per acre, be, and hereby is, granted on all the lands in the town of Sheldon,—lands sequestered to publick, pious, or charitable uses excepted—for the purpose of making and repairing roads, and building bridges in said town, to be expended under the direction of Alfred Keith, Wanton Hazard, George Kendall, Thomas Marsh and Isaac Tracy, all of said Sheldon, who are a committee, hereby appointed, to superintend the expenditure of said tax: and any justice of the peace, within and for the county of Franklin, is hereby authorized to issue his warrant to Samuel White, of Sheldon aforesaid, who is hereby appointed the collector of said tax: and said committee and collector, in the collection, expenditure and accounting for said tax, are hereby directed to conform in all things, to the general laws of this state, in such case made and provided. Tax of four cents assessed on Sheldon. Committee. Collector.

[*Passed Oct.* 31, 1823.]

A. D. 1823.

Passed Oct. 31, 1823.

CHAPTER 44. AN ACT, laying a tax of three cents per acre on the town of Brunswick, in the county of Essex.

It is hereby enacted by the General Assembly of the State of Vermont, That there be, and hereby is, laid a tax of three cents per acre, on the township of Brunswick, in the county of Essex—lands sequestered to publick, pious and charitable uses excepted—the money so raised to be expended, on a road running from the main road, in said Brunswick, to the town of Wenlock; to be expended under the direction of William Marshall, Joshua R. Lamkin, and Collins C. Loundsbury, of the town aforesaid, who are hereby appointed a committee to superintend the expenditure of said tax: and any justice of the peace, within and for the county of Essex, is hereby authorized to issue his warrant to Thomas G. French, of said Brunswick, who is hereby appointed a collector to collect said tax: and the said committee and collector, are to govern themselves, in all things conformably to the general statutes of this state, in that case made and provided.

Tax of three cents assessed on Brunswick.

Tax where to be expended.

Committee.

Collector.

[*Passed Oct.* 31, 1823.]

Passed Nov. 1, 1823.

CHAPTER 45. AN ACT, laying a tax of two cents per acre on Avery's Gore in the county of Franklin.

It is hereby enacted by the General Assembly of the State of Vermont, That there be, and hereby is, laid a tax of two cents per acre, on all the lands in Avery's Gore, in the county of Franklin—lands sequestered for publick, pious and charitable uses excepted—for the purpose of making and repairing roads and building bridges in said Gore; to be expended under the direction of Pelatiah Hamilton, of Troy, Samuel Lusk and John L. Clapp, both of Montgomery, who are hereby appointed a committee to superintend the expenditure of said tax: and any justice of the peace, within and for the county of Franklin, is hereby authorized and directed to issue his warrant to Selah B. Upham, of Montgomery, who is hereby appointed a collector to collect said tax; and said committee and collector are hereby directed, in the collection, expenditure and accounting for the monies to be raised by said tax, to con-

Tax of two cents assessed on Avery's Gore.

Committee.

Collector.

form themselves in all things, to the direction of the general statutes of this state, in that case made and provided. A. D. 1823.

[*Passed Nov.* 1, 1823.]

CHAPTER 46. AN ACT, in addition to an act, entitled, "an act, laying a tax of six cents, on the acre, in the town of Braintree," passed Nov. 12, 1821. Passed Nov. 3, 1823.

Whereas, in and by an act, entitled, "an act, laying a tax of six cents on the acre, in the town of Braintree," passed Nov. 12, 1821, Joseph Riford of said Braintree, was appointed collector of said tax; and whereas the said Joseph proceeded in the execution of his duties as collector, as aforesaid, and sold the principal part of the lands in said town, on which the said tax remained unpaid, but died without completing the sale of all such lands: Preamble.

Therefore,

It is hereby enacted by the General Assembly of the State of Vermont, That Jonathan Bass of said Braintree, be, and he hereby is appointed and empowered to sell, on the first day of December next, at the dwelling house of William Ford, jun. in said Braintree, so much of the lands, belonging to such delinquent proprietors and land owners in said Braintree, as have failed to pay their share of said tax, and which remained unsold by the said Joseph, at the time of his death: and the doings of the said Jonathan, in the sale of said lands, shall be good and valid in law, to all intents and purposes: and in the sale of said lands, executing deeds thereof, and accounting for the monies by him received on said tax, the said Jonathan shall have the same powers, and be subject to the same regulations, except that of advertising, as were given and prescribed to the said Joseph, in and by the act to which this is an addition. Collector of former tax appointed. Acts of collector to be valid. Powers and duties of collector.

[*Passed Nov.* 3, 1823.]

CHAPTER 47. AN ACT, laying a tax of three cents, per acre, on the town of Belvidere. Passed Nov. 1, 1823.

It is hereby enacted by the General Assembly of the State of Vermont, That there be, and hereby is, laid a

A. D. 1823. tax of three cents per acre, on all the lands in the town of Belvidere—lands sequestered for publick, pious and charitable uses excepted—for the purpose of making and repairing roads, and building bridges in said town; to be expended under the direction of John Brown, Moody Shattuck and Malachi F. Dodge, all of said Belvidere, who are hereby appointed a committee to superintend the expenditure of said tax: and any justice of the peace, within, and for the county of Franklin, is hereby authorized and directed to issue his warrant to Nathaniel Hodgkin, of said Belvidere, who is hereby appointed a collector to collect said tax: two thirds of said tax to be expended on the road leading from Avery's Gore, in said Franklin county, to the place called Johnson and Hydepark corners, and three fourths of the residue of said tax, on the road leading from the guide board, in said Belvidere, to Coit's Gore: and said committee and collector are hereby directed, in the collection, expenditure and accounting for the monies raised by said tax, to govern themselves, in all things, by the general laws and statutes of this state in such case made and provided.

Tax of three cents assessed on Belvidere.

Committee.

Collector.

Tax where to be expended.

[*Passed Nov.* 1, 1823.]

Passed Nov. 6, 1823.

CHAPTER 48. AN ACT, laying a tax of three cents, on each acre of land in the town of Westford.

It is hereby enacted by the General Assembly of the State of Vermont, That there be, and hereby is, laid a tax of three cents, on each acre of land in the township of Westford, in the county of Chittenden—lands sequestered to publick, pious and charitable uses excepted—for the purpose of making and repairing roads and building bridges in said town; to be expended under the direction of Thomas Rogers, Daniel Macomber, and Jonas Hobert, of said Westford, who are hereby appointed a committee, to superintend the expenditure of said tax: and any justice of the peace, within and for the county of Chittenden, is hereby authorized to issue his warrant to Jacob Macomber, of said Westford, who is hereby appointed a collector to collect said tax: and said committee and collector, are hereby directed in collecting, expending and accounting for the monies, raised by said tax, to govern themselves in all things,

Tax of three cents assessed on Westford.

Committee.

Collector.

conformably to the general statutes of this state, in such case made and provided. A. D. 1823.

[*Passed Nov.* 6, 1823.]

CHAPTER 49. AN ACT, laying a tax of three cents, per acre, on the lands in the town of Newport. Passed Nov. 6, 1823.

It is hereby enacted by the General Assembly of the State of Vermont, That there be, and hereby is, assessed a tax of three cents, per acre, on all the lands in the town of Newport, in the county of Orleans—lands sequestered for publick, pious and charitable uses excepted—for the purpose of making and repairing roads and building bridges in said town; two hundred dollars of said tax to be expended in making a road, hereafter to be laid out, beginning at, or near, the corners of lots number one hundred and twenty-three, and one hundred and twenty-four, in Troy, on the west line of Newport, and running thence to the east line of said Newport, on lands the most convenient for a road and settlement, in a course leading to Harmon's mills, in Coventry; the remainder of said tax, to be laid out, where the committee of superintendence shall judge it is most needed; to be expended under the direction of Samuel Warner, Roderick Adams and Jeremiah Mecham, all of said Newport, who are hereby appointed a committee to superintend the expenditure of said tax: and any justice of the peace, within and for the county of Orleans, is hereby directed to issue his warrant to Josiah Rawson, of Newport aforesaid, who is hereby appointed a collector, to collect said tax: and said committee and collector are hereby directed, in the collection, expenditure and accounting for the monies, to be raised by said tax, to govern themselves, in all things, according to the general statutes of this state, in such case made and provided.

Tax of three cents assessed on Newport.

Tax where to be expended.

Committee.

Collector.

[*Passed Nov.* 6, 1823.]

CHAPTER 50. AN ACT, granting a tax of four cents per acre, on the town of Woodford, in the county of Bennington. Passed Nov. 6, 1823.

It is hereby enacted by the General Assembly of the State of Vermont, That there be, and hereby is, laid a

A. D. 1823. tax of four cents per acre, on all the lands in the town of Woodford, in the county of Bennington—lands sequestered to publick, pious and charitable uses excepted—for the purpose of making and repairing roads, and building bridges in said town; to be expended under the direction of William Park, jun. Andrew Lyman and Giles Hollister, all of said Woodford, who are hereby appointed a committee to superintend the expenditure of said tax: and any justice of the peace, within and for the county of Bennington aforesaid, is hereby empowered to issue his warrant to William Park, of said Woodford, who is hereby appointed a collector, to collect said tax: and said committee and collector, are hereby directed, in the collection, expenditure and accounting for the monies to be raised by said tax, to conform themselves, in all things, to the directions of the general statute law of this state, in that behalf made and provided.

Tax of four cents assessed on Woodford.

Committee.

Collector.

[*Passed Nov.* 6, 1823.]

Passed Oct. 24, 1823.

CHAPTER 51. AN ACT, to repeal the providing clause in an act passed Nov. 6, 1822, entitled, "an act laying a tax of one cent and a half per acre, on the town of Navy."

It is hereby enacted by the General Assembly of the State of Vermont, That the providing clause to an act, passed Nov. 6, 1822, entitled "an act, laying a tax of one cent and a half, per acre, on the town of Navy," be and the same is hereby repealed.

Proviso in former act repealed.

[*Passed Oct.* 24, 1823.]

A. D. 1823.

CHAPTER 52. AN ACT, assessing a tax on the county of Essex. Passed Nov. 1, 1823.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That there be, and hereby is assessed a tax of five mills, on the dollar, on the polls and ratable estate of the inhabitants of the county of Essex, on the list of the present year, for the purpose of discharging the demands, against said county, to be paid in orders issued by the county court, for said county, or in money; to be collected and paid into the treasury, of said county, by the first day of June next.

Tax of 5 mills on the dollar of list assessed on Essex co.

Tax when to be paid.

SEC. 2. *It is hereby further enacted*, That the treasurer of said county, shall have the same power, in issuing warrants and extents for the collection of said tax, as is given to the state's treasurer; and the first constables of the several towns in said county, are hereby empowered to proceed in the collection of said tax, in the same manner as they are empowered to do, in the collection of state taxes.

Powers of county treasurer and constables.

[*Passed Nov.* 1, 1823.]

CHAPTER 53. AN ACT, granting a tax upon the county of Grand Isle. Passed Oct. 31, 1823.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That there be, and hereby is, granted a tax of five cents on the dollar, on the list of the polls and ratable estate of the inhabitants of the county of Grand-Isle, for the present year, to be paid into the treasury of said county, on or before the first day of September next, for the purpose of building a court-house and county jail, in said county; to be expended under the direction of Calvin Fletcher, of South-Hero, Samuel Adams and Joel Allen of Grand-Isle, Lewis Sowles of Alburgh, and Charles Carron of Vineyard, who are hereby appointed a committee for that purpose.

Tax of 5 cents on the dollar assessed on the list of G. Isle county.

When to be paid.

How to be expended.

Committee.

SEC. 2. *And it is hereby further enacted*, That the treasurer of said county, shall have the same power in issuing warrants and extents, for the collection of said tax, as is given to the state's treasurer, and the first constables of

Powers of county treasurer and constables.

A. D. 1823. the several towns in said county, are hereby empowered to proceed in the collection of said tax, in the same manner as they are empowered to do, in the collection of state taxes; and the said treasurer and first constables are hereby directed to perform their duty agreeably to the provisions of said act.

[*Passed Oct.* 31, 1823.]

Passed Nov. 1, 1823.

CHAPTER 54. AN ACT, laying a tax on the county of Windsor.

Tax of 2 1-2 mills on the dollar assessed on list of Windsor co.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That there be, and hereby is, granted and laid, a tax of two and a half mills on the dollar, on the list of the polls and ratable estate of the inhabitants of the county of Windsor, for the year 1823; to be collected and paid into the treasury of said county, by the first day of June next, in orders drawn on the treasurer of said county, or in cash.

Tax when to be paid.

Duty of co. treasurer & constables.

SEC. 2. *And it is hereby further enacted*, That the treasurer of said county shall issue his warrant, by the first day of March next, to the first constables of the several towns in said county, for the collection of said tax; and the said first constables are hereby authorized and directed to proceed in the collection of said tax, in the same manner, as they are, by law, authorized and directed to proceed, in the collection of state taxes.

Treasurer to issue extent against delinquent constables.

SEC. 3. *And it is hereby further enacted*, That if any constable or collector, who may receive a warrant from the treasurer of said county, for the collection of said tax, shall neglect to pay over to said treasurer, the amount of said tax, contained in said warrant, by the time prescribed therein, the treasurer of said county shall have the same power to issue an extent or extents, as the case may require, against such delinquent or delinquents, as the treasurer of this state is, by law vested with, in cases of neglect to collect and pay over state taxes.

[*Passed Nov.* 1, 1823.]

A. D. 1823.

CHAPTER 55. AN ACT, assessing a tax on the county of Orange, for the purpose of building a jail in said county. Passed Nov. 6, 1823.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That there be, and hereby is, assessed a tax of six mills and a half on each dollar, of the list of polls and ratable estate of the inhabitants of the county of Orange, for the year 1823, to be collected and paid into the treasury of said county, within four months, from the date of warrants which may be issued by the treasurer of said county, for the collection of said tax.

Tax of six & a half mills on the dollar assessed on list of Orange county.

Tax when to be paid.

SEC. 2. *It is hereby further enacted*, That if any of the inhabitants of the town of Chelsea, in said county, shall execute and deliver to the treasurer of said county, security, to the acceptance of the county court, within and for said county, for the erection and completion, of a stone jail in the said town of Chelsea, by the time to be appointed, and agreeable to a plan to be furnished by the judges of said county court, or a majority of them, then the treasurer of said county, shall issue his warrant, to the first constable of each town in said county for the collection of the tax aforesaid.

Treasurer to issue warrant for collection of tax if inhabitants of Chelsea give security for erection of a stone jail.

SEC. 3. *It is hereby further enacted*, That the sum of money, produced by said tax, shall, after the execution and acceptance of the security mentioned in the second section of this act, be paid by the treasurer of said county on the order of said court, to such inhabitants, as shall have given bonds as aforesaid.

Money raised by tax to be paid to persons who have given security.

SEC. 4. *It is hereby further enacted*, That the acceptance of said jail, by the county court, for said county, shall be a full discharge and satisfaction, of the securities mentioned in the second section of this act.

Acceptance of jail to discharge securities mentioned.

[*Passed Nov.* 6, 1823.]

ACTS OF INCORPORATION.

CHAPTER 56. AN ACT, to incorporate the Phi Sigma Nu Society, of the University of Vermont. Passed Oct. 21, 1823.

SECTION 1. *It is hereby enacted, by the General Assembly of the State of Vermont*, That Orramel Hutchinson, George H. Parker, James Converse, George P. Williams, and Benjamin Swan, jun. and their associates and successors, members of the University of Vermont, in Burlington be, and are hereby, constituted a body politic, and corporate for the purposes of promoting useful knowledge, and of enlarging and protecting a permanent library in said University, to be known and distinguished by the name of the Phi Sigma Nu Society of the University of Vermont; and by that name shall have succession, and right to sue and be sued, plead and be impleaded, to contract and be contracted with; shall have a common seal, and the same alter at pleasure; shall be invested with full power of making and altering their own by-laws and regulations; to levy and collect taxes and assessments on the resident members of said society, at any meeting previously warned for that purpose, and to do all those acts, which the good order and interests of said society may require: *always provided*, that the same be not repugnant to the constitution or laws of this or the United States.

Phi Sigma Nu Society of University of Vermont incorporated.

Corporate rights, &c.

Proviso.

SEC. 2. *And it is hereby further enacted*, That the first meeting of said society, shall be held at the hall of said society, in Burlington, on the third Wednesday in November next; and that a majority of the undergraduate members of said society, resident in Burlington, when met, at said meeting, and all subsequent meetings, duly notified, shall be a quorum to transact any business whatever.

First meeting when and where to be held.

Provided always, and it is hereby further enacted, That the property of the books, which constitute the library of said society, shall not at any time be divided among the members of said society; and the said library shall be permanently located in the University of Vermont.

Proviso.

[*Passed Oct.* 21, 1823.]

A. D. 1823.

Passed Oct. 24, 1823.

CHAPTER 57. AN ACT, incorporating the Grand Lodge of the State of Vermont.

Grand Lodge of Vermont incorporated.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That George Robinson, Phinehas White, George E. Wales, Naphtali Shaw, 2d. Joseph Howes, Daniel Azro Ashley Buck, Nathan B. Haswell, and Luther B. Hunt, and their associates and successors, be, and they hereby, are constituted a corporation, by the name of, The Grand Lodge of the State of Vermont; and they hereby are invested with all the powers, privileges and immunities incident to corporations of a similar nature.

Corporate powers.

Corporation may hold real estate not exceeding $2000, and personal estate not exceeding $1000.

SEC. 2. *It is hereby further enacted*, That said Grand Lodge shall have power to receive, possess and hold, by gift, grant, purchase or devise, any real or personal estate, provided the value of said real estate, do not exceed two thousand dollars, nor the value of said personal estate, exceed one thousand dollars; and shall, and may, employ the income, interests and profits arising from such estate, in acts of charity and benevolence.

Shall have a seal.

SEC. 3. *It is hereby further enacted*, That the said Grand Lodge of the state of Vermont, shall have, and use, a common seal, and by the name aforesaid, may sue and be sued, in all actions, real, personal and mixed, and prosecute and defend the same to final judgment and execution: and the said Grand Lodge shall, annually, elect, by ballot, a grand master, to preside at their meetings, and a secretary to record the doings of said grand lodge.

Grand Master and Secretary to be annually elected.

Corporation empowered to convey real estate.

SEC. 4. *It is hereby further enacted*, That the said grand lodge, be, and they are hereby authorized and empowered, to sell and convey in fee simple, lease, or mortgage, all, or any part of the real estate, which they may hold, as herein aforesaid, and to make, execute and acknowledge, a good and sufficient deed or deeds thereof; which deed or deeds, subscribed by their grand master, by the direction of the said grand lodge, with the seal of said corporation thereunto affixed, shall be good and valid in law, to pass and convey the same to the purchaser or purchasers thereof, to all intents and purposes whatever: and the said grand lodge may make and establish, such by-laws, rules and regulations as they may think proper;

Power to make by-laws.

Proviso.

Provided, The same are not repugnant to the constitution and the laws of this state.

SEC. 5. *It is hereby further enacted*, That the first meeting of said grand lodge shall be holden at mason's hall in Montpelier, on the Tuesday preceeding the second Thursday of October, in the year of our lord eighteen hundred and twenty-four. A. D. 1823.

First meeting when and where to be held.

Provided, however, That this act may be repealed whenever the legislature may deem it expedient that the corporation should be abolished. Proviso.

[*Passed Oct.* 24, 1823.]

CHAPTER 58. AN ACT, to incorporate the Windsor Female Academy. Passed Oct. 24, 1823.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That there be, and hereby is established, at Windsor, in the county of Windsor, an institution for the instruction of female youths, in the various branches of useful and polite literature, to be known and distinguished by the name of the *Windsor Female Academy*. Windsor Female Academy established.

SEC. 2. *And it is hereby further enacted*, That John Leverett, Jonathan H. Hubbard, George Leonard, John Wheeler, Romeo Elton, Horace Everett, Luther Mills, Erastus Torrey, Asa Aikins, Carlos Coolidge, Thomas Leland, Samuel Shuttleworth, Edward R. Campbell and William A. Dunham, and their associates and successors be, and they are hereby, constituted and appointed a body politic and corporate, to all intents and purposes, and with all the rights, powers and privileges, belonging to similar institutions, to be known by the name of *The Trustees of the Windsor Female Academy*. Names of trustees.

SEC. 3. *And it is hereby further enacted*, That said corporation shall have a common seal, and the same alter at pleasure, and may sue and be sued, prosecute and defend in all suits and actions, may make their own by-laws, not being repugnant to the laws of this, or the United States, for the regulation of said academy, and may take by gift, grant, purchase or devise, any estate, real or personal, not exceeding ten thousand dollars, for the benefit of said corporation. Rights, powers & privileges of corporation.

SEC. 4. *And it is hereby further enacted*, That the persons named in the second section of this act, may add to their number, until the whole of the members of the corporation, amount to fifteen; and the said corporation may Corporators may add to their number. And fill vacancies.

A. D. 1823. supply any vacancy that may happen, at any time, by death, removal, resignation or non-acceptance of appointment, of any of the members of said corporation, at any meeting of said corporation, warned and holden, according to any rules or by-laws established: and the said Leverett, Hubbard and Leonard, or any two of them, are hereby authorized to warn and call the first meeting of said corporation, at any convenient time and place, within six months after the passing of this act, for the purpose of electing officers, and transacting any other business found necessary; and a majority of all the members of said corporation shall constitute a quorum.

First meeting by whom and within what time to be called.

Quorum.

SEC. 5. *And it is hereby further enacted*, That all the real and personal estate, of said corporation, held for the benefit of said academy, shall forever be exempt from taxation.

Estate of corporation exempt from taxes.

[*Passed Oct. 24, 1823.*]

Passed Oct. 31, 1823.

CHAPTER 59. AN ACT, to incorporate an aqueduct company in the village of Montpelier.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That Daniel Baldwin, Calvin Newcomb, James H. Langdon, John Spalding and Joshua Y. Vail, and their associates and successors be, and they are hereby, constituted a body politic and corporate, by the name of the *State Street Aqueduct Company*, and by that name may sue and be sued, plead and be impleaded; may purchase, and hold, and convey, both real and personal estate; may have a common seal and the same alter at pleasure; and shall have and enjoy all the privileges incident to similar corporations, for the purpose of completing, repairing and enjoying said aqueduct.

State street aqueduct company in Montpelier incorporated.

General corporate powers, &c.

SEC. 2. *And it is hereby further enacted*, That said corporation may hold their first meeting at the office of Joshua Y. Vail, in said village of Montpelier on the fifteenth day of November, 1823, at five o'clock, P. M. for the purpose of choosing a president and clerk, and such other officers as shall be deemed necessary by said corporation; and establish the mode of calling future meetings; and may make and adopt such by-laws, rules and regulations, not repugnant to the laws and constitution of this state, and the same may repeal, alter, and amend, from time

First meeting when and where to be held.

May choose a president and other officers.

May make by-laws

to time, as they may deem necessary for the due regulation of their common concern and interest. A. D. 1823.

SEC. 3. *And it is hereby further enacted*, That said corporation shall have power to divide their grant into as many shares as they may deem proper; and said shares may be of equal or unequal value, as shall be deemed most convenient for the due exercise and enjoyment of the rights and privileges, granted by this act, and such shares when so divided shall be taken and considered as personal property, to all intents and purposes, and may be transferred, in such manner as said corporation by their by-laws may direct: and when any share or shares may be attached on mesne process, an attested copy of such process, with the officer's return thereon endorsed, shall be left with the clerk of said corporation, at the time of serving the same; otherwise said attachment shall be null and void; and such shares may be sold on execution in the same manner, as is now, or may hereafter be, provided, by law, for making sale of personal estate, on execution; and the officer serving the same, shall leave a copy of such execution, with his return thereon endorsed, with the clerk of said corporation, within six days next after such sale; and such share or shares, so sold, shall, to all intents and purposes, be vested in the purchaser.

Grant may be divided into shares.

Shares how attached.

Shares may be sold on execution.

Duty of officer levying execution.

SEC. 4. *And it is hereby further enacted*, That said corporation, shall have power to assess taxes, upon the members of said company, or upon the shares, and, in the name of said company, to sue for and collect the same, or to sell the shares for the collection of the same, in such manner as said corporation may, by their by-laws, establish.

Corporation may assess and collect taxes on shares.

[*Passed Oct.* 31, 1823.]

CHAPTER 60. AN ACT, establishing a corporation by the name of the Jamaica Turnpike Company.

Passed Oct. 31, 1823.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That, Timothy Burton, Amos Howard, 2d. Charles Phelps, John Kellogg, Alpheus Kellogg, Nathaniel Cheney, Bonyard Howard, Warren Wheeler, James Muzzey, and their associates, their heirs and assigns be, and they are hereby, constituted a corporation, by the name of the Jamaica Turnpike Company; and by that name may sue and be sued, may have a common seal to be

Jamaica turnpike company incorporated.

Corporate powers, &c.

A. D. 1823. by them altered at pleasure, and shall enjoy all the powers and privileges incident to a corporation, for the purpose of laying out, making, altering and keeping in repair, a turnpike road from Jamaica white meeting house, to the east line of Winhall to strike said line, on the south side of Winhall river, so called, a distance of about six miles, on the most convenient way to meet a road through Winhall to Manchester; said road to be four rods wide, and the path for travelling to be eighteen feet wide.

Corporation empowered to erect one gate on their road.

Rate of toll.

SEC. 2. *And it is hereby further enacted*, That when the said turnpike road shall be completed, to the acceptance of the county court of the county of Windham, the said corporation shall have power to erect one gate on said road, and the same to remove at pleasure; and said corporation shall be, and hereby are, entitled to receive from each traveller or passenger, the following rates of toll at said gate; to wit. For every four wheel pleasure carriage, drawn by two beasts, fifty cents, and for each additional beast, four cents; for every two wheel pleasure carriage drawn by one beast, twenty-five cents, and for every additional beast, four cents; for each waggon drawn by two beasts, twenty-five cents, and for each additional beast, four cents; for each waggon drawn by one beast, twelve and a half cents; for each cart drawn by two oxen, twenty cents, and for each additional beast, four cents; for each cart drawn by one beast ten cents; for each pleasure sleigh drawn by two horses, twenty cents; for each pleasure sleigh drawn by one horse, ten cents; for each sled or lumber sleigh, drawn by two beasts, twelve and a half cents; for each sled or lumber sleigh drawn by one beast, eight cents; for each horse and rider, six cents; for all horses, mules or neat cattle, led or driven, one cent each; for all sheep or swine, at the rate of six cents per score. *Provided*, said corporation may commute the rate of toll, with any person for any period of time, as they may agree.

Proviso.

Inhabitants of Jamaica exempt from toll by expending certain highway taxes on turnpike.

Provided also, that whenever the town of Jamaica shall, at a town-meeting legally warned and holden for that purpose, vote, that the inhabitants, living on said turnpike road, shall work out their annual highway taxes on said turnpike road, the selectmen of the town of Jamaica shall, annually, at the time prescribed by law for that purpose, make out a rate bill of the highway tax, of the inhabitants aforesaid, in said town, with a warrant to one of the directors of said turnpike company, to collect the same, who

shall have all the powers in collecting such taxes, as may be vested in surveyors of highways, for collecting highway taxes; then, and in that case, all the inhabitants of said town of Jamaica shall be exempt from payment of toll, at said gate, for every year that the selectmen shall make out, and deliver to one of the directors of said corporation, a rate bill and warrant as aforesaid; and also the inhabitants of Winhall shall be exempt from paying toll, when going to meeting, or after the doctor, and all ministers of the gospel, in the adjoining towns, shall be exempt from paying toll. A. D. 1823.

Certain persons exempt from toll.

SEC. 3. *And it is hereby further enacted,* That the first meeting of said corporation shall be holden at the dwelling house of Nathaniel Cheney, in said Jamaica, on the first Monday of February next, at one o'clock in the afternoon, for the purpose of choosing a clerk, and such other officers as they may think proper; and said corporation may establish such by-laws, from time to time, not repugnant to the constitution and laws of this state, and of the United States, as they shall think proper, for the management of the prudential concerns of said corporation, and also establish some method for calling future meetings of said corporation.

First meeting of corporation when and where to be held.

May choose officers and make by-laws.

SEC. 4. *And it is hereby further enacted,* That the said corporation shall, within one year, after the said road is completed, make out a complete statement of all the expenditures thereof, and present the same to the judges of the supreme court, to be by them approved; after which the same shall be lodged in the office of the secretary of state.

Corporation to present to judges of supreme court account of expenditures.

SEC. 5. *And it is hereby further enacted,* That if said corporation shall not complete said turnpike road, within four years from the passing of this act, to the acceptance of the judges of the county court, of said county of Windham, the said corporation shall take no benefit by this act.

Road to be completed in four years, or grant to be void.

SEC. 6. *And it is hereby further enacted,* That Richard Skinner of Manchester, in the county of Bennington, Luke S. Rand, of Townshend and Ebenezer Huntingdon, of Acton, in the county of Windham, be, and are hereby appointed, a committee to lay out and survey said road, and said corporation, shall cause the doings of said committee, to be recorded in the town clerk's office, in Jamaica, and also in the company clerk's book, which book shall be kept in the town of Jamaica: and said commit-

Road by whom to be laid out and surveyed.

Doings of committee where to be recorded.

Committee to assess and corporation to pay certain damages.

A. D. 1823.

tee shall assess such damages, as, in their opinion, shall in equity, accrue to any landholder, by laying out said road; which shall be paid by said corporation, within thirty days, after such road is completed.

Proviso.

Provided, That when there is allowance land in any lot, through which said turnpike road is laid, or any old road on said lot, which shall, in the opinion of the selectmen of Jamaica, have become unnecessary, such allowance land, and old road shall be assigned over to such land owner, to answer such damage, in whole, or in part, at the discretion of said committee.

Corporation empowered to hold certain real estate.

SEC. 7. *And it is hereby further enacted*, That the said corporation be, and they are, hereby authorized to purchase, receive and hold, lands sufficient for the accommodation of a toll gatherer, and the same to transfer, as by their by-laws they may direct.

[*Passed Oct.* 31, 1823.]

Passed Nov. 3, 1823.

CHAPTER 61. AN ACT, incorporating the Windsor Manufacturing Company.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That Jonathan H. Hubbard, and his associates and successors, be, and hereby are, constituted a body politic and corporate, to all intents and purposes by the name of the Windsor Manufacturing Company, and by that name, may sue and be sued, plead and be impleaded, appear, prosecute and defend, in all suits and actions; may purchase, hold and convey real and personal estate, to an amount not exceeding fifty thousand dollars; may have a common seal, and shall have, and enjoy all the privileges incident to corporations, for the purpose of manufacturing cotton and woollen yarn and cloth, with all the branches belonging thereto, for and during the term of twenty years, from and after the passing of this act.

Windsor Manufacturing Company established.

Corporate powers and privileges.

SEC. 2. *It is hereby further enacted*, That the said Jonathan H. Hubbard be authorized to call the first meeting of said corporation, to be holden in said Windsor, at such time and place as he shall appoint, at any time within two years from the passing hereof, for the purpose of choosing such officers, as may be deemed necessary, by publishing a notification thereof, three weeks successively, in the newspapers, printed in said Windsor, at least twelve

First meeting by whom and in what manner to be called.

days before the day of such meeting, and may at such meeting and at all other meetings, legally notified, make, repeal and alter, such by-laws, rules and regulations as may be thought necessary, for the due regulation and management of said corporation, not repugnant to the laws of this state. A. D. 1823.

Corporation may make by-laws.

SEC. 3. *It is hereby further enacted*, That said corporation may divide their stock into as many shares, and provide for the sale and mode of transfer of said shares, as said corporation may from time to time deem expedient.

Stock may be divided into shares.

SEC. 4. *And it is hereby further enacted*, That the property of the stockholders in said corporation shall be considered as personal property, and shall be holden as such to satisfy the debts of said corporation.

Stock considered personal property.

[*Passed Nov.* 3, 1823.]

Passed Nov. 5, 1823.

CHAPTER 62. AN ACT, establishing an Academy at Concord in the county of Essex.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That there be, and hereby is established, an academy in Concord in the county of Essex, at such place as shall be appointed by the trustees, to be known by the name of the Concord Academy.

Concord Academy established.

SEC. 2. *It is hereby further enacted*, That the Rev. Samuel R. Hall, John Barnet, Richardson Graves, Cornelius Judevine, Isaac Little, James May, Harvey G. Fry and Andrew Spalding, all of said Concord, and their associates and successors, shall, at all times hereafter, form and constitute, a board of trustees, for said institution, and be known by the name and style of The Trustees of the Concord Academy, and the said trustees and their successors in office are hereby declared, constituted, ordained and appointed, a body corporate and politic, to all intents and purposes, in name and in fact; shall have full power to take, by gift, grant, purchase or devise any estate, either real or personal, for the use of said academy; and, by themselves or attornies, to institute, maintain and defend, any suit or suits, which shall or may be sued, prosecuted or impleaded, either in law or equity, for the recovery or defence of any of the rights or property of said academy, as they find necessary; may have a common seal, and the same alter at pleasure, and may make by-laws for their regulation and

Names of trustees.

Trustees invested with corporate powers.

A. D. 1823. government, not repugnant to the constitution and laws of this state.

Trustees may increase their number to 13.

SEC. 3. *It is hereby further enacted*, That the said trustees shall have power to increase their number to thirteen: seven of whom shall form a quorum to transact business, and shall fill up all vacancies, which may happen by death, resignation or removal, out of this state, of any trustee of said board.

First meeting by whom and in what manner warned.

SEC. 4. *It is hereby further enacted*, That the persons named in this act, or any two of them, are hereby authorized to warn the first meeting of said corporation, to be holden at such time and place, in said Concord, as they shall direct, within six months from the passing of this act, by posting up a notification at the usual place of warning freemen's meetings, in said town, at least twelve days prior to said meetings, for the purpose of making necessary rules and regulations, passing by-laws, and electing such officers, as may be deemed necessary, and to adopt a mode of calling future meetings.

Estate to amount of $5000 exempt from taxes.

SEC. 5. *It is hereby further enacted*, That all real and personal estate to the amount of five thousand dollars, shall, at any time, be held by said corporation, for the benefit of said institution, shall be free and exempt forever from all taxes, and that the persons of the preceptor and tutors of said academy, for the time being, shall be free and exempt from military duty.

[*Passed Nov.* 5, 1823.]

Passed Nov. 5, 1823.

CHAPTER 63. AN ACT, incorporating the East Bay Navigation Company.

East Bay Navigation Company incorporated.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That Christopher Minot, Zebulon R. Shipard, Tilly Gilbert, Jacob Davey, Jonathan Orms, Josiah Bascomb, John P. Colburn, George Warren, Barnabas Ellis, Hector H. Crane, and their associates and successors, be, and are hereby incorporated and created a body politic, by the name of The East Bay Navigation Company, and, by that name, shall have succession,

General corporate powers.

may sue and be sued, plead and be impleaded, contract and be contracted with, in all respects like a natural person; may purchase, hold and convey both real and personal estate; may have a common seal, and the same alter at pleas-

ure; and shall have, enjoy and exercise all the rights, privileges and immunities incident to similar corporations, for the purposes of erecting locks, dams, and other buildings, for the improvement of, and to remove every obstruction to, the navigation of East Bay, for boats, or vessels of fifty tons, from the great falls in the stream emptying into said bay, in West-Haven, in Rutland county, to the western line of the state of Vermont, or into Lake Champlain. A. D. 1823.

Stock considered personal property, and may be divided into shares.

Shares forfeited on non-payment of assessments.

Officers of the corporation.

When and in what manner chosen.

Number of votes to which stockholders are entitled.

First meeting when and where held.

President and directors to be sworn—and shall appoint treasurer and clerk.

Duty of treasurer

Duty of clerk.

SEC. 2. *It is hereby further enacted*, That the stock of said company shall be considered personal property, to every intent and purpose, and shall consist of as many shares, as the said corporation shall determine proper; that each of the stockholders of said company shall pay such sum or sums of money for the benefit of said company, as the said company shall, from time to time, by their votes or resolutions, direct: and, upon failure thereof, shall forfeit his, or her, or their share or shares, and all payments previously made, for the benefit of said company: that the management of the concerns of said corporation, shall be entrusted to a president and seven directors, being stockholders, and inhabitants of the counties of Rutland in Vermont, and of Washington county, in the state of New-York, who shall be chosen, annually, in the month of January, on such day, and at such place, as the said corporation shall, by their by-laws, direct, by ballot of the stockholders, personally present, or by proxy; and that each stockholder shall have one vote, for every share, not exceeding five, and one vote for every two shares above five: that the first meeting, for the election of a president and directors shall be holden at Apollos Smith's, in said West-Haven, on the first Monday of January, 1824, at one o'clock in the afternoon, at which meeting the Hon. Zebulon R. Shipard or John P. Colburn shall preside, until a president be chosen; and that said president and directors, and their successors, shall be sworn to the true and faithful discharge of their several offices, who shall annually appoint, by ballot, a treasurer and clerk of said corporation: And the treasurer of said corporation shall collect and receive all monies, and keep, and exhibit a fair and full account thereof, and all obligations, securities and property of every name, and description whatever, and, on demand, account for the same: and it shall be the duty of the clerk to truly record all the proceedings, shares and transfers

A. D. 1823. thereof, according to the rules and regulations of said corporation: And the said corporation, when legally warned and convened for that purpose, shall have power and right to make, ordain and establish such by-laws, from time to time, not repugnant to the laws of this state, or the United States, as shall be necessary to call and regulate future meetings; to levy, assess and collect taxes, to manage the prudential concerns of said corporation, and to carry into full and complete effect, the navigation of the bay aforesaid, and to promote, preserve and protect their common interest.

Corporation empowered to make by-laws.

To levy and collect taxes.

SEC. 3. *It is hereby further enacted,* That said corporation, by themselves or their agents, shall have a right to remove all and every obstruction to the navigation of said stream and bay, to erect dams across said stream or bay, erect locks on the same, or incavate canals and erect locks and gates in the same, on any lands adjoining said bay or stream, upon their paying the owner or owners of said lands, for all damages done to the same, to be assessed by any two justices of the peace within and for the county of Rutland, and to do any other act or acts, to carry into effect the objects of their incorporation, and shall have the exclusive right to a reasonable toll for the navigation of said bay and stream, through any lock or locks, to be erected thereon; which rate of toll, for the passage of all vessels, boats, rafts, timber and boards, which shall pass through any lock or locks, to be erected on said bay or stream, shall be assessed, and ascertained by the county court, within and for the county of Rutland, and shall be recorded in the county clerk's office; which rates of toll, so assessed and ascertained, shall be fairly posted up, at each lock in said bay or stream, in a legible manner. And if any person or persons shall attempt, or do pass said lock or locks, without paying such toll, erected as aforesaid, he, she or they, shall forfeit and pay to said corporation, the sum of five dollars, to be recovered by action of debt, before any justice of the peace of the county of Rutland, with full cost of suit, without any appeal from said judgment.

Corporation empowered to remove obstructions, and erect locks, &c. on certain lands.

Mode of assessment of damages.

Corporation empowered to receive toll for passing locks.

Rate of toll to be assessed by Rutland county court and recorded.

Rate of toll to be posted at each lock

Penalty for passing locks without payment of toll.

SEC. 4. *It is hereby further enacted,* That upon the completing of the improvement in the navigation of said bay, the expense of such improvement shall be returned and allowed by said county court, and the amount thereof, recorded in the county clerk's office.

Expenses of completing improvements to be returned and allowed by Rutland county court and recorded

A. D. 1823.

SEC. 5. *It is hereby further enacted*, That if said corporation shall not complete the improvements of said navigation, to the acceptance of said county court, within six years from the passing of this act, the same shall be null and void.

Act void, unless improvements are completed in six years.

[*Passed Nov.* 5, 1823.]

GRANTS OF FERRIES.

CHAPTER 64. AN ACT, granting to Charles McNeil the exclusive right of keeping a ferry from Charlotte across lake Champlain. Passed Oct. 21, 1823.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That the exclusive right of keeping a ferry from Charlotte in the county of Chittenden to Essex in the state of New-York be, and the same hereby is granted to Charles McNeil of Charlotte, aforesaid, his heirs and assigns for the term of fifteen years from the first day of March next. Ferry granted to Charles McNeil. Term of grant.

SEC. 2. *It is hereby further enacted*, That if the said Charles McNeil, his heirs or assigns shall, for the space of twenty days, at any time, during said term, fail to keep suitable boat or boats, properly manned, for carrying passengers, teams and carriages, at all proper seasons for crossing said lake, at said ferry, he or they shall forfeit all the privileges granted by this act; and the County Court, in the county of Chittenden, on complaint, shall have power to declare their grant to be forfeited. Grant forfeited on certain neglect of grantee.

SEC. 3. *It is hereby further enacted*, That the county court for the county of Chittenden, shall regulate the rates of ferriage, at said ferry, at their term in February, annually. Chittenden county court to regulate rate of ferriage.

SEC. 4. *And it is hereby further enacted*, That if the said Charles McNeil, his heirs or assigns, shall, at any proper season for crossing said ferry, during said term, unreasonably delay or hinder any person, who may apply to be carried across said lake, at said ferry, he or they, so offending, shall forfeit and pay, to the party injured, for every such offence, the sum of twenty dollars, together with all damages, arising from such delay or hindrance, to be recovered before any court, proper to try the same. Penalty for hindering or delaying passengers.

SEC. 5. *And it is hereby further enacted*, That if any person or persons shall transport any traveller or the cattle, horses, team or carriage of such traveller, across said ferry and shall receive any fee or reward therefor, he, or Penalty for invading rights of grantee.

A. D. 1823. they shall forfeit and pay to the said Charles McNeil, his heirs or assigns, two dollars, for every such act, to be recovered, in an action on this statute, before any court, having proper jurisdiction, together with full costs.

[*Passed Oct.* 21, 1823.]

Passed Oct. 24, 1823.

CHAPTER 65. AN ACT, granting to John Niles the exclusive right of a ferry.

Ferry granted to John Niles for ten years.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That there be and hereby is granted, to John Niles of Highgate, in the county of Franklin, his heirs and assigns, the exclusive right of keeping a ferry from Hog Island, lying in the towns of Swanton and Highgate to the east shore of Alburgh in the county of Grand Isle, for the term of ten years.

Grantee to keep boats, &c. for conveyance of passengers—under regulation of selectmen &c. of Swanton.

SEC. 2. *Provided*, The said John, his heirs and assigns, shall furnish themselves with a good, convenient scow and boat or boats, well manned, for the purpose of conveying passengers, horses, cattle, teams and carriages across said ferry, under such restrictions and regulations, as a majority of the selectmen and civil authority of the town of Swanton shall make, agreeable to law:

Penalty for neglecting to transport passengers.

Provided, nevertheless, That if the said John, his heirs or assigns, shall refuse or neglect to convey any passengers, horses, cattle, teams or carriages across said ferry, or cause any unreasonable delay therein, he or they shall forfeit and pay, to the treasurer of the town of Swanton, the sum of five dollars and all damages, to the person or persons injured by such delay, with full cost.

Selectmen &c. of Swanton to examine situation of ferry and establish rates of ferriage.

SEC. 3. *Provided, also*, That the selectmen and civil authority, aforesaid shall, at the expense of the said John, his heirs and assigns, examine into the situation of said ferry, designating the rates of ferriage, from time to time, and as often as once in each and every year: and if, in their opinion, he or they are not furnished with a good scow and boat or boats, as aforesaid, for the term of fifteen days, at any one time, during the season of ferrying, he or they shall, thereafter, forfeit all rights and privileges, granted by this act.

Grant forfeited on certain neglect of grantee.

penalty for taking unlawful toll.

SEC. 4. *And it is hereby further enacted*, That if the said John Niles, his heirs or assigns, shall violate the regulation, so made from time to time, by the said selectmen

and civil authority, as aforesaid, by taking unlawful toll or ferriage, he or they shall forfeit and pay to the person injured, three dollars, with full cost, before any court, proper to try the same. A. D. 1823.

SEC. 5. *And it is hereby further enacted,* That if any person or persons shall ferry, or cause to be ferried, any passengers, horses, cattle, teams or carriages across said ferry, taking any fee therefor, such person or persons, as aforesaid, shall forfeit and pay to the said John, his heirs or assigns the sum of two dollars with full cost. Penalty for invading rights of grantee.

[*Passed Oct.* 24, 1823.]

MISCELLANEOUS.

CHAPTER 66. AN ACT, annexing the second company of cavalry in the first brigade, second division of the militia of this state to the second regiment in said brigade. Passed Oct. 24, 1823.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That the second company of cavalry, now attached to the squadron of cavalry in the first brigade and second division of the militia of this state, is hereby detached and exempted from all duties in said squadron. 2d com. of cavalry in squadron of 1st brig. 2d division detached from squadron.

SEC. 2. *And it is hereby further enacted*, That the said second company of cavalry shall, hereafter, be annexed to the second regiment, first brigade and second division of the militia of this state and be subject to the same orders, duties, penalties and forfeitures, as are enjoined, by law, regulating and governing the militia of this state. Comp. annexed to 2d reg. 1st brigade 2d division.

[*Passed Oct.* 24, 1823.]

CHAPTER 67. AN ACT, establishing an independent light infantry company in the town of Burlington, in the county of Chittenden. Passed Oct. 31, 1823.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That Henry Thomas, George Peaslee, Sidney Barlow, Andrew Plympton, John Sanger, Solomon Doolittle, Andrew Tousey, Sidney Howard, Amos Pangborn and Anson Bowman, of Burlington in the county of Chittenden, and their associates be, and they are hereby, constituted and established a light infantry company, by the name of the Burlington Independent Greys, to be annexed to, and to do duty with, the first regiment, second brigade and third division of the militia of this state: and the said company, when formed, as herein after provided, shall enjoy all the privileges, powers and honors, and be subject to the same military authority and Burlington Independent Greys established. To be annexed to 1st reg. 2d brigade 3d division.

A. D. 1823. duties, as other militia companies in this state have or are subject to.

Orders to enlist by whom issued.

SEC. 2. *It is hereby further enacted,* That the commanding officer of the first regiment, second brigade and third division may issue his orders to such person or persons as he shall think fit, to enlist men for said company;

Choice of officers.

and when the number of thirty shall be enlisted, to cause said company to be led to a choice of officers: and the officers, so chosen, shall be commissioned and their commissions bear date from the time of their election.

Comp. officers to appoint meeting for adopting uniform.

SEC. 3. *It is hereby further enacted,* That the officers, so chosen as aforesaid, shall appoint some convenient time and place for the meeting of said company, for the purpose of adopting such uniform, as a majority of them shall agree upon.

Comp. when equipped and organized may enlist from standing companies.

SEC. 4. *It is hereby further enacted,* That the said light infantry company so enlisted, equipped and organized as aforesaid, are hereby empowered to enlist, from time to time, to complete their company to their full number, from exempts and the standing companies, in said regiment:

Proviso.

Provided, The standing companies shall not, thereby, be reduced below sixty-four privates, actually residing within the limits of their respective companies.

[*Passed Oct.* 31, 1823.]

Passed Nov. 1, 1823.

CHAPTER 68. AN ACT, establishing the Brookfield Rifle Company.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont,* That Hiram Sexton, Harris Edson and Elijah Lyman, jun. of Brookfield in the county of Orange, and others, their associates be, and they are hereby constituted and established, a rifle company, by the name of the Brookfield Rifle Company; to be annexed to, and do duty with, the fourth regiment in the first brigade and fourth division of the militia of this state: and the said company, when formed, as herein after provided, shall enjoy all the privileges, powers and honors, and be subject to the same military authority and duties, as other rifle companies, in this state, enjoy and are subject to.

Brookfield Rifle company established.

To be annexed to 4th reg. 1st brig. 4th division.

Orders to enlist by whom issued.

SEC. 2. *It is hereby further enacted,* That the commanding officer of the said first brigade may issue his orders, to such person or persons as he may think proper, to

enlist men for said company; and when the number of thirty shall be enlisted, to cause said company to be led to a choice of officers: and whenever said company shall, at their own expense, be equipped, according to law, the officers, so chosen, shall be commissioned. A. D. 1823. Choice of officers.

SEC. 3. *And it is hereby further enacted,* That said rifle company, so enlisted, equipped and organized, as aforesaid, are hereby empowered, to enlist from time to time, to complete their company, to their full number, from the several standing companies in said regiment and from exempts: Company when equipped and organized may enlist from standing companies and exempts.

Provided, That no standing company shall, thereby, be reduced below the number of sixty-four effective privates. Proviso.

[*Passed Nov.* 1, 1823.]

CHAPTER 69. AN ACT, constituting a company of artillery in the town of Northfield. Passed Nov. 1, 1823.

SECTION 1. *It is hereby enacted, by the General Assembly of the State of Vermont,* That Adonijah B. Rogers, John White, Daniel D. Robinson and Thomas Reed, and their associates be, and they hereby are constituted a company of artillery, to be annexed to, and do duty with the third regiment in the first brigade and fourth division of the militia of this state: and the said company are, hereby, invested with all the powers, privileges and honours, and subject to the same military authority and duties as other companies of artillery in this state enjoy or are subject to. Comp. of artillery in Northfield established. To be annexed to 3d reg. 1st brig. 4th div.

SEC. 2. *It is hereby further enacted,* That the brigadier general, of the said first brigade be, and he is hereby authorized and directed to appoint a time and place for a meeting of said company to elect their officers, and to attend, in person, or appoint some suitable person to attend, and lead said company to a choice of officers and commission said officers, so elected. Brig. gen. to appoint time & place for election of officers of com.

SEC. 3. *It is hereby further enacted,* That the officers of said company, may, from time to time, enlist from the standing companies in said regiment and from exempts to complete said artillery company: Officers of com. may enlist from standing companies and exempts.

Provided, That no standing company shall, thereby, be reduced below the number of sixty-four effective privates. Proviso.

A. D. 1823. *Provided also,* That said company shall take no benefit of this act, until the members thereof shall have furnished the same with a good and sufficient piece of ordnance and apparatus complete, to the acceptance of the aforesaid brigadier general, and themselves with a good and proper uniform and equipments for an artillery company, which piece of ordnance and apparatus shall, forever thereafterwards, remain for the benefit of said company.

Com. to take no benefit of this act unless they furnish piece of ordnance&apparatus.

[*Passed Nov.* 1, 1823.]

Passed Nov. 1, 1823.

CHAPTER 70. AN ACT, for the relief of Isaac Kimball, Administrator on the estate of Samuel Barber, deceased.

It is hereby enacted by the General Asssembly of the State of Vermont, That Isaac Kimball, administrator on the estate of Samuel Barber, late of Pownal, deceased, is hereby authorized and empowered, at any time previous to the first day of January, next, to enter an appeal from the decision of the commissioners on said estate, allowing a claim of five hundred ninety-six dollars and twenty cents to Willard Bates of said Pownal, to the next term of the supreme court, to be holden within and for the county of Bennington: and the proceedings, both before the court of probate and the supreme court shall be, in all respects, the same, as though the said Isaac Kimball had entered his appeal, within the time allowed by law.

I. Kimball, ad'r of estate of S. Barber, deceased, authorized to take an appeal from commissioners on said estate.

Proceedings in probate &supreme courts regulated.

[*Passed Nov.* 1, 1823.]

Passed Nov. 6, 1823.

CHAPTER 71. AN ACT, granting to Daniel Staniford an appeal from the judgment of commissioners on the estate of John Barry, late of Colchester, deceased, to the Supreme court.

It is hereby enacted by the General Assembly of the State of Vermont; That Daniel Staniford, of Burlington, is hereby authorized and empowered, at any time, previous to the first day of January next, to enter an appeal from the decision of the commissioners on the estate of John Barry, late of Colchester, deceased, to the next term of the supreme court, to be holden within and for the county of Chittenden: and the proceedings, both before the court of probate and the supreme court, shall be, in all respects, the

D. Staniford empowered to take an appeal from com'rs on estate of of J. Barry.

Proceedings in probate and supremecourtsregulated.

same, as though the said Daniel Staniford had entered his appeal within the time allowed by law. A. D. 1823.

[*Passed Nov.* 6, 1823.]

CHAPTER 72. AN ACT, granting to Alexander Campbell, of Putney, the right to enter an appeal from the report of the commissioners on the estate of John Campbell, deceased. Passed Nov. 3, 1823.

Whereas, the commissioners, heretofore appointed to examine and report the claims against the estate of Doct. John Campbell, late of Putney, in the District of Westminster, deceased, returned to the court of probate, for said District, on the twenty-fifth day of October, A. D. 1820, among other claims, a balance in favor of said estate, against the said Alexander Campbell, of one hundred ninety-two dollars and thirty-three cents, which return was, on the same day, accepted by the said court of probate; and whereas, by accident or mistake, the said Alexander Campbell was prevented from entering his appeal and filing his declaration, within the time prescribed by law: Preamble.

It is hereby enacted by the General Assembly of the State of Vermont, That the judge of probate, for said district of Westminster, is hereby authorized to allow the said Alexander Campbell an appeal, from the report and judgment of the said commissioners, to the next session of the supreme court, to be holden within and for the county of Windham: and the said supreme court is authorized to sustain and hear said appeal, if the said Alexander Campbell shall make his application to said judge of probate and file his declaration of his demands, by the first day of January next: and the same notice and proceedings shall be had, on such appeal, as are prescribed by law, in cases of appeals from the judgment and report of commissioners, in other cases.

Judge of probate for Westminster district authorized to allow appeal to A. Campbell from decision of com'rs on estate of John Campbell.

Sup. ct. to sustain said appeal if taken by 1st Jan. next.

Mode of notice, and proceedings.

[*Passed Nov.* 3, 1823.]

L. of C.

A. D. 1823.

Passed Oct. 25, 1823.

CHAPTER 73. AN ACT, restoring to Sylvanus Sayer, Timothy Wilmot, Oliver Taylor, and Mills Olcott, certain privileges therein mentioned.

S. Sayer & others, restored to privileges given by virtue of certain act.

It is hereby enacted by the General Assembly of the State of Vermont, That Sylvanus Sayer, Timothy Wilmot and Oliver Taylor of Thetford, in Orange county, and Mills Olcott of Hanover, in the state of New-Hampshire, be, and they hereby are restored to all the privileges given by virtue of an act, entitled "an act, in alteration and amendment, of an act, entitled, an act, reducing into one, the several acts for laying out, making, repairing and clearing highways," notwithstanding they have neglected to petition some justice of the peace, within six months agreeably to the provisions of said act:

Proviso.

Provided, The said Sayer, Wilmot, Taylor and Olcott, shall petition to some justice, within one year from the passing of this act.

[*Passed Oct. 25*, 1823.]

Passed Oct. 21, 1823.

CHAPTER 74. AN ACT, for the relief of George W. Parker.

G. W. Parker restored to his legal privileges.

It is hereby enacted by the General Assembly of the State of Vermont, That George W. Parker, of Sandgate in the county of Bennington, and state of Vermont, be, and he hereby is, restored to the enjoyment of all the privileges in law, and rights of citizenship, of which he has been heretofore deprived, by a conviction for theft.

[*Passed Oct. 21*, 1823.]

Passed Nov. 1, 1823.

CHAPTER 75. AN ACT, restoring Asa Chamberlain to his legal privileges.

A. Chamberlain restored to his legal privileges.

It is hereby enacted by the General Assembly of the State of Vermont, That Asa Chamberlain, of Newfane in the county of Windham, who, about four years ago was convicted of forgery, and who was liberated from prison about one year since, by the governor and council, is hereby restored to the enjoyment of his legal privileges, in as full and as ample manner, as though said convic-

tion had never been made; any law, to the contrary, notwithstanding. A. D. 1823.

[*Passed Nov.* 1, 1823.]

CHAPTER 76. AN ACT, to authorize the guardian of Frederick White, to sell and convey the real estate of his ward. Passed Nov. 1, 1823.

It is hereby enacted by the general Assembly of the State of Vermont, That Amos Hutchinson, of Tunbridge, in the county of Orange, guardian of Frederick White of said Tunbridge, be, and hereby is, empowered to sell and convey the real estate of the said Frederick White. A. Hutchinson guardian of F. White authorized to sell real estate of said White.

Provided, That said guardian shall, previous to such sale, make oath, before some justice of the peace, in said county, "that he will sell such estate, in such manner, as, in his judgment, will be most beneficial to his ward;" and shall also give a bond, with two sufficient sureties, to the judge of probate, for the district of Randolph, in said county, in double the value of the estate to be sold, to secure the value of such estate to his said ward. Guardian to make oath & give bonds to judge of probate

[*Passed Nov.* 1, 1823.]

CHAPTER 77. AN ACT, authorizing the administrator of Abel W. Atherton, deceased, to sell and convey certain lands situate in this state. Passed Oct. 21. 1823.

It is hereby enacted by the General Assembly of the State of Vermont, That the probate court, for the district of Rutland, be authorized on the application of William Abbott of Castine, in the county of Hancock and state of Maine, administrator, duly appointed, by the probate court for the county of Hancock, upon the estate of Abel W. Atherton, late of Castine aforesaid, deceased, to notify the creditors of said Abel, residing within this state, to exhibit to him a list of their claims against said estate, by a notification, published three weeks successively, in some newspaper, printed in this state, at least sixty days before the time appointed for exhibiting said debts; and if no such creditor shall exhibit any claim to said probate court, said probate court is hereby authorized to grant, to said administrator, a licence to sell and convey all the lands belonging to the estate of the said Abel, situate in Clarendon, in Probate Court for Rutland district on application of adm. of A. W. Atherton, deceased, to notify creditors of deceas'd to exhibit claims to adm'r.

If no claims exhibited, probate ct. may authorize administrator to sell lands of deceased.

A. D. 1823. the county of Rutland, in this state, and a deed of such lands duly exeeuted by said administrator, shall be good and valid, to all intents and purposes, to convey all the interest of said deceased in said lands.

Probate ct. to take bonds of adm'r.

Provided, That said probate court, before granting any such licence, shall take of said administrator, a bond, with surety, conditioned, that he shall faithfully account for the proceeds of said lands, with the probate court, for the county of Hancock.

[*Passed Oct.* 21, 1823.]

Passed Oct. 21, 1823.

CHAPTER 78. AN ACT, to repeal part of an act therein mentioned.

Part of act for relief of Waltham turnpike company repealed.

It is hereby enacted by the General Assembly of the State of Vermont, That the third section of an act, entitled, "an act for the relief of Waltham Turnpike Company," passed, Nov. 8, 1821, so far as relates to the eastern highway district in the town of Waltham, be, and the same is hereby repealed.

[*Passed Oct.* 21, 1823.]

Passed Oct. 24, 1823.

CHAPTER 79. AN ACT, appointing a collector of taxes for the town of Hancock.

Jesse Goodno appointed collector of taxes in Hancock.

It is hereby enacted by the General Assembly of the State of Vermont, That Jesse Goodno, of Hancock, be, and he is hereby, appointed a collector, for the purpose of collecting, the state, and state school tax on said Hancock, for the year one thousand eight hundred and twenty-two, with the same powers, and subject to the same regulations, in collecting and accounting for the same, as are by law established, for the collection of taxes; for which this act is, and shall continue to be, his sufficient warrant.

[*Passed Oct.* 24, 1823.]

A. D. 1823.

CHAPTER 80. AN ACT, appointing a collector in the town of Johnson. Passed Nov. 1, 1823.

Whereas, Clark M. Mills of Johnson, in the county of Franklin, was, in the year 1821, appointed first constable and collector of taxes in said town, and did, during said year, receive certain rate bills, for town, state and other taxes, a part of which, he has neglected to collect, and hath absented himself from this state: Preamble.

Therefore,

It is hereby enacted by the General Assembly of the State of Vermont, That Alexander Gregg of said Johnson be, and hereby is, appointed a collector, for the purpose of collecting the sums now due, and unpaid, on the several rate bills, so committed to the said Clark M. Mills as aforesaid, with the same powers, and subject to the same regulations, in collecting and accounting for all monies now due, and unpaid on the several tax bills aforesaid, as are by law established for the collection of taxes; for which this act is, and shall be, his sufficient warrant: and the several treasurers of the treasury to which the several taxes belong, are hereby directed to credit to the bail of the said Mills, all monies which shall be collected and paid over, by virtue of this act, on each rate bill, respectively. A. Gregg appointed collector of sundry tax-bills against inhabitants of Johnson. Treasurers to credit bail of C. M. Mills, on receipt of monies paid by virtue of this act.

[*Passed Nov.* 1, 1823.]

CHAPTER 81. AN ACT, relating to the Narrows bridge across Missisque river in Sheldon. Passed Oct. 24, 1823.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That the selectmen of the town of Sheldon, may, from time to time, whenever they shall think proper, to post up in some conspicuous place, at each end of the Narrows bridge across Missisque river, in Sheldon, a plain and legible direction, to all travellers, to abstain from travelling on said bridge faster than on a walk, with any horse or horses, teams, sleighs, carts, carriages or cattle; and if any person shall travel upon said bridge, as aforesaid, faster than on a walk, while such direction so remains, posted up as aforesaid, he or she shall forfeit to the town of Sheldon, for each act of so travelling, Selectmen of Sheldon may post up direction prohibiting passing Narrows Bridge faster than on a walk. Penalty for passing bridge faster than on a walk while direction is so posted.

A. D. 1823. as aforesaid, the sum of one dollar, with full costs of prosecution, to be recovered by action founded upon this act.

Penalty for defacing or removing direction.

SEC. 2. *And it is hereby further enacted*, That if any person shall wilfully deface, remove or destroy any direction so to be posted up as aforesaid, he or she shall forfeit, for each offence, ten dollars, to be recovered, with full costs of prosecution, by the town of Sheldon, by action founded on this act; and all penalties recovered under this act, to be expended in repairing said bridge.

Proviso.

Provided always, That no appeal shall be allowed from any judgment rendered by virtue of this act.

Limitation of prosecution.

SEC. 3. *And it is hereby further enacted*, That all actions, for the recovery of any penalty, incurred under this act, shall be commenced, within thirty days after the right of action shall accrue, and not after.

[*Passed Oct.* 24, 1823.]

Passed Nov. 1, 1823.

CHAPTER 82. AN ACT, regulating the toll of one horse waggons, at the West river bridges in Dummerston and Brattleboro' in the county of Windham.

Toll of one horse waggons over West river bridges in Dummerston & Brattleborough.

It is hereby enacted by the General Assembly of the State of Vermont, That the toll for each one horse waggon, drawn by one beast, over the toll bridge, over West river in Dummerston, and also at the toll bridge, over West river, in Brattleboro', shall be six cents each; and for each additional beast three cents more; the rate of toll for said waggons, at the said bridges not having been hitherto regulated by law.

[*Passed Nov.* 1, 1823.]

Passed Oct. 31, 1823.

CHAPTER 83. AN ACT, for the removal of William C. Lee to the State's prison.

Sheriff of Windham county to remove W. C. Lee from Newfane jail to state's prison.

SECTION 1. *It is hereby enacted by the General Assembly of the State of Vermont*, That it shall be the duty of the sheriff of the county of Windham, or the high bailiff of said county, acting as a sheriff in said county, to convey William C. Lee, now a prisoner in the common jail at Newfane, in said Windham county, on a charge of arson, and him deliver to the keeper of the state's prison,

within said prison, who is hereby authorized and directed to receive the said William, and him safely keep, either in one of the cells of said prison, or otherwise, as the warden of said prison shall direct, subject to the future order of the supreme court. A. D. 1823.

Keeper of state's prison to receive said Lee.

SEC. 2. *It is hereby further enacted*, That it shall be the duty of the warden of said prison, to subject the said William C. Lee, in all things, to the same duties, rules, and regulations, to which convicts, in said prison, are made liable.

Warden to subject said Lee to rules, &c.

SEC. 3. *It is hereby further enacted*, That this act shall not be carried into effect, until the said William C. Lee shall have manifested his assent to the same, in writing, on a certified copy of this act.

This act not to be carried into effect without assent of prisoner.

[*Passed Oct.* 31, 1823.]

CHAPTER 84. AN ACT, altering the name of Senaca White.

Passed Oct. 24, 1823.

It is hereby enacted by the General Assembly of the State of Vermont, That Senaca White, of Salisbury, in the county of Addison, may, and shall, hereafter, be known and called by the name of Senaca Morton, the same as if that had been his original name, it being at the request of Joseph and Mercy Morton his grand-parents,

Name of Senaca White altered.

[*Passed Oct.* 24, 1823.]

CHAPTER 85. AN ACT, altering the name of John Lynde to that of John Stewart Lynde.

Passed Oct. 31, 1823.

It is hereby enacted by the General Assembly of the State of Vermont, That John Lynde, of Woodstock, shall and may be hereafter known and called, by the name of John Stewart Lynde, the same as though it had been so originally.

Name of John Lynde altered.

[*Passed Oct.* 31, 1823.]

A. D. 1823.

Passed Nov. 3, 1823.

CHAPTER 86. AN ACT, altering the name of Cyrus Coggswell, to that of Cyrus Coggswell Blossom.

Preamble.

Whereas, Ebenezer Blossom of Lemington, in the county of Essex, and James Coggswell of Colebrook, in the county of Coos, and state of New-Hampshire, have petitioned this legislature, to alter the name of the said Cyrus Coggswell, to that of Cyrus Coggswell Blossom:

Therefore,

It is hereby enacted by the General Assembly of the State of Vermont, That the name of the said Cyrus Coggswell, shall hereafter be known and called by the name of Cyrus Coggswell Blossom.

Name of Cyrus Coggswell altered.

[*Passed Nov. 3, 1823.*]

STATE OF VERMONT.

Secretary of State's Office, Woodstock, November 29, 1823.

I hereby certify that the foregoing eighty-six chapters are true copies of the original acts on file in my office.

NORMAN WILLIAMS, Secretary of State.

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Errata.

Page 8—Instead of the title prefixed to Chapter 11, read "An act in "addition to an act, relative to petitions preferred to the "General Assembly."

48—4th line from bottom, for Carey, read "Corey."

73—7th line from bottom, for Huntingdon, read "Huntington."